Ideals and Policies
of
Trade Unions in America.

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PREFACE-

There is little need of any explanation of the following pages. The plan is to examine the policies of trade unions in the United States in such a way as to set forth clearly for what organized labor stands, what it seeks to attain, and to point out the excellences or short-comings of its program. It is not possible in this compass to set forth all the policies of each union. We simply take those leading doctrines which are common to all.

We are to deal with theory more than with fact. The policies represent ideals in trade unionism and for a variety of reasons ideals are rarely attained. It is not our place to denounce the violence sometimes used to attain the unionist's end or even to acount for it. Yet we may say that such organizations as advocate sabotage or any other violent methods in their policies are not included in our catalogue of the bona-fide trade unions. Our belief is that the great rank and file of organized workmen are dedidedly opposed to any but legitimate methods of attaining their demands. Many mistakes have been made. Again and again the workmen have been imposed upon by the unscrupulous. Yet when all is said and done there have been fewer errors than one could expect in so great a reformation as that which is being brought about in the industrial world.

In the form of the work we have sought to produce a brief yet sufficiently comprehensive treatise from which

the busy man can quickly and easily get in touch the salient points of organized labor. We have found that much of the apathy held towards the unions by professional and other men not directly concerned with labor problems as employer or employee has its origin in an alarming ignorance of what the unions aim at. If these few chapters help to bring about a better understanding of the image earnest's cause, we shall be well paid.

The valuable assistance of Prof. F. Spencer Baldwin, M.D. who suggested the theme and directed the work is gratefully acknowledged.

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I.

THE RIGHT TO ORGANIZE.

Perforce the first and important thing for the trade union is to be.The very right of existence has been denied it.Through long years of struggle men suffered imprisonment and deportation because they had banded themselves together for the protection of their rights. Every variety of legal repression has been tried in one country or another to make unionism impossible.The strife has been bitter.Today in the United States the fight is won,yet there are to be found men who deny the right of the workers to unite and union men still find it necessary to defend this right. The unionist declares that once any firm admits the right of organization,it logically follows that must also recognize the right of that organization to act for its individual members. This does not however,always hold true in practice. In a variety of ways employers who have recognized unions have, either from convenience or necessity,found it to their purpose not to negotiate with the accredited representatives of the unions. No doubt there have been exasperating conditions which have made it next to impossible for employers to deal with union leaders, but much more frequently there is reason to believe that the complaint on the part of the employers is a subterfuge to lend color to their refusal to come to agreements.

In theory there is no argument against the trade union's right to be. The utility and especially the economy of the trust is admitted today. Every description of combination calculated to minimize the cost of production and maximize profits is to be found in the industrial world.To be sure the organizations of capital are generally of few men,or at least so carried on that few men appear in the business;and the union is of many, the more the better,most of whom in a large degree are active in all matters of interest.Certainly there are no more good reasons for the combinations of capital than there are for the combinations of labor. Of course, no matter how many are interested in agreements either as employers or employees the results of any action between the two parties must be worked out by a very few men representing each.

That the union is an outgrowth of conditions which made it inevitable history clearly shows.Even under the old system of household industry, the journeyman and apprentice living under the same roof with the master, there was found to be necessary a more or less effective organization to protect the worker from unfair treatment. But under the new era of improved machinery,steam power and factory buildings the need is compelling.Excessive hours of labor,wages below the mark of bare living,lack of protection from injury,no means of sanitation, overcrowding,no continuity of work,discrimination in disposal

of work etc,all added their part to make conditions unbearable and to force into being some arrangement for the correction of these wrongs.Whatever may be said against the trade union this history will witness--that the greed and shortsightedness of some employers forced their adoption by the workers.Retrospection shows that Geo.E.McNeills' statement is not simply rhetoric as it may first seem--"The labor movement is born of hunger;hunger for food,for shelter,warmth,clothing and pleasure."*

When asked why they unite the answer of any trade unionist is-"Because we must do so to obtain the product of our labor and the trade union is the best means we have yet found to secure for us good wages,a short work day and, we hope in time,complete independence.The matter is not one of sentiment or charity,but business pure and simple." The idea is that"Mutualism is preferable to individualism." What the individual worker cannot hope to obtain,the joint efforts of many may secure.We may be enlightened by a few definitions of the objects of labor unions and we may note that with the progress of time and the growth in numbers and power the object has enlarged and become more inclusive. In 1868 Thornton said,"Union is to secure the freedom of exchange with regard to labor by putting the workman on something like an equal position in bargaining with his employer.--Laborers do not want to be dictated to but

*Paper before the International Labor Congress,Chicago Ill,1893.

want to dictate.--Laborers claim that as the employer wants to get the most possible out of capital so does the laborer out of labor."* the main idea here is increase of wages. Thornton came nearer the present object of the workman when he said,"The single aim of the trade unionist is to enable themselves to dictate arbitrarily the conditions of employment ."** Gostrict says,"The main object of the best and most intelligent English laborers is not to obtain the highest possible rate of wages,but to render the workingman's employment and his means of subsistance less precarious.--Trade unions now aim at every means that will raise the workmen to the best position it is possible for them to obtain.Raise of wages may be the principal means to that end,but not the sole means.It is not to assist the individuals to raise themselves above the class, but to raise the class itself."***
R.T.Ely says,"Trade unions and labor organizations are,then, designed to remove disadvantages under which the great mass of workingmen suffer,and must continue to suffer unless they get relief either by voluntary combination or by combined political action."****

* W J Thornton--Labor& its wrongful Claims and Rightful Dues, 2 Ed, 1870

** Ibid.

xxx Joseph Gostrict. Trades Unions and the Relations of Capital and Labor. (Cobden Club Essays. 2 Series, 1872) P362.

**** R.T.Ely--Labor Movement in America.P96.

All this may be effectively summed up in the following definition- the trade union is " A continuous association of wage-earners for the purpose of maintaining or improving the condition of their labor."* In the Federal Statutes the trade union is defined-"Associations of working people for the several purposes of aiding members toward greater efficiency,promoting their general intelligence,raising funds for the benifit of the sick,disabled or unemployed members or the families of deceased members and for the regulation of their wages and hours and conditions of labor and the protection of their individual rights in the prosecuting of their trades."

We can readily see that the unions are not the cause of hostility between labor and capital, but the result of that hostility. Unionists regard the union as the most natural thing imaginable. Hence such savings as-"Mans first duty is to organize.--Next to the family the trade union is the highest exemplification of the gregarious instinct.--Even the beasts of the field know the value of sticking together."** However we may regard such epigrams they speak strongly ofthe things for which the unionists stand. They hold that the very life of the laborer depends upon this one principle of union and that it is his first duty to unite for his own and his fellow worker's good. The larger the organization and

* Sidney & Beatrice Webb-~~Industrial Democracy~~ The History of Trade Unionism, P. 1.

** Walter Macarthur-Trade Union Epigrams P-I.

the more strongly welded together, the easier the task of getting results."The best organized workers, those who are better prepared to enter into the strikes or to resist lockouts, are those who have least occasion to engage in them, and yet are the greater beneficiaries from modern civilization in the form of higher wages, shorter hours of daily toil, and Sunday rest."*

This leads us to the place where we may ask, "if there is no argument against the organization in theory, is there any argument against it in practice? To answer this question is part of the object of our work. In a general way we may look at the matter before we take up in detail the other policies of trade unions in the United States. In the next sentence to that quoted from Mr Gompers above, he says of the best organized workers-"They attain a higher plane of morality, economic political and social independence."** He also adds-"All really educated and honest men admit that the thorough organization of the wage workers tends to render employment and the means of subsistence less precarious and secures a larger share of the fruits of their toil.--It raises wages and lowers usury. It fosters education and uproots ignorance; increases independence and decreases dependence. It develops manhood and balks tyranny. It shortens hours of toil and lengthens life.

* Samuel Gompers-Organized Labor-Its Struggles, Its Enemies and Its Fool Friends. P.6

** Ibid P.6

It lightens and brightens man.It establishes fraternity , and discourages blind selfishness. It makes manhood more independent,womanhood more beautiful and healthful,and childhood more hopeful and bright.It cheers the home and tends to make the world better."* No doubt this is a glowing description-perhaps too optimistic;yet we shall see that much of it is true. That the ideal has been reached by trade unions their most ardent admirers could not claim;but that generally speaking they have been the best means so far offered to lead the worker to his own cannot successfully be controverted.

There are persons who denounce all unionism because of the evil which has been wrought through it. Individual cases of abuse of power,unnecessary strikes, use of violence,breaking off contracts etc, have occurred. Such things are deplorable and no one sees it more clearly than those who have the union most at heart.The attitude against all violence and(considering the various nationalities of the strikers) the remarkably little violence done during the great coal strike of 1902 under the leadership of Mr John Mitchell,indicates the place in which some leaders stand in these matters.It is unfortunate for the welfare of unionism that such cases as Moyer,Pettibone and Haywood and the McNamara are to be reckoned with,but it is much more unfortunate for union leaders

*Ibid -P.7.

to declare these men innocent before they are tried and to seek by the use of every power, financial, political or other, to keep justice from being administered. Far better for organized labor in every way to have all those guilty of violence punished as the law demands and to renounce the countenancing of rascality of any kind once and for all. No union ever gained anything by seeking to shield those who have tried mistakenly to advance its welfare by unlawful methods. Tyranny has no place either for employer or employee. Because one is thought to have practised it does not give license to the other to do so. No democracy can stand upon tyranny and for our industrial democracies known as unions to attempt to do so is worse than folly. To the honor of many unionists with whom we have talked about the cases mentioned above let us say that the great majority have been decidedly opposed to the blocking of justice or of upholding the crimes; at the same time they desired that the accused should have a fair chance to defend themselves. In a very real way the labor movement has been a reformation. All such movements have been accompanied by unlawful deeds. This among the industries is no exception. The chief question is--have the results been adequate; the answer is yes.

Objection is made to trade unions because they limit output. By shorter hours, limit of apprentices, refusal to

work overtime etc the amount of production is lessened. There is truth in the statement--how much truth will be noted in the later chapters.The wage-workers very rightly observe that the limitation of output caused by the natural operations of organized labor is meager when compared with the deliberate plans of the manufacturers and dealers to with-hold products for the purpose of maintaining or lifting prices.It is also a very fair complaint of the laborer that at times he has been deprived of selling his comodity, labor, which if not sold at a certain time will be forever lost,in order that the employer might curtail his output and so keep prices up;the employers comodity being of such a character that if it is not sold in the present,it may be sold at some future time.The unionist also states that many of the union rules which curtail output have been forced upon them by unscrupulous employers. For instance the limitation of the number of apprentices has been found necessary, because owners have filled their shops with boys who were frequently kept at work on some one machine until they could do a man's work-with the result that one man less was required on the shop force and the boy was not permitted to become a journeyman in the craft but was doomed to remain a specialist operating that one machine. No doubt the trade union limits output.We do not believe,however, that the matter

has been enlarged upon more than it deserves. Probably the raise in prices during the past twenty years can partially be accounted for in the wide spread organization of wage-earners. Many other things also have entered into the matter.

It is frequently pointed out that the trade unions are not incorporated and it is argued from this fact that the union cannot be held to its contract because the manufacturer cannot sue an unincorporated body, This is true but only half the statement. Neither can the union hold the employer to his contract because an unincorporated concern cannot sue. As a matter of fact contract breaking has become so exceedingly rare that the argument has little value on either side. A natural question is, why do not the unions incorporate ? Here is the common answer. "If the trades union was to become incorporated it would be a comparatively easy matter for an unscrupulous employer to hire a spy to commit an act of lawlessness which would involve the destruction of property whereby the entire union would become involved. A successful suit for damages would practically disrupt the organization. If all employers were absolutely honest, the incorporation of the union might be insisted upon; but for the reason given above organized labor is naturally cautious about taking a step which would bring it

practically no advantage, while it would lay itself open to the assaults of its enemies."*

* Samuel Gompers, "Open Letter to Ministers," P.7.

CHAPTER II.

COLLECTIVE BARGAINING -

"Mutualism is better than individualism." This is one of the epigrams of organized labor. In collective bargaining mutualism is put into practice. Professor Fawcett says that trade unions are formed that the laborer may have the same chance of selling his labor dearly as the master has of buying it cheaply."* Dunning says unions are organized "to ensure the freedom of exchange with regard to labor, by putting the workman on something like equal position in bargaining with his employer."** It will be seen from this that the primary policy of the trade union is collective bargaining.

Before the time of the union and the guild the individual workman got the best terms he could from the Master. A little thought will make it plain that in the average case a single laborer could do little to force an unwilling employer to pay him an adequate wage. In collective bargaining a body of workmen banded together make the sale of their labor at a stated price, for a stated period of time, under stated conditions of employment--a chosen representative or committee dealing with the master for the workmen. This method of arranging rate of wages, hours

* Prof. Fawcett-Quoted by Wm. Trant M.A. "Trade Unions P.16

** Mr Dunning-- .. .. P.16.

of work,conditions respecting sanitation etc,has very largely superseded the method of the individual bargain. there are still some employers who declare that they will deal with the individual workman and who strongly object to union business agent or walking delegate.The attitude of organized labor is shown in the following,"The manager or superintendent who refuses to deal with the elected representatives of the trades union who may not be in the employ of the corporation does not seem to realize that he himself is the elected or appointed representative of a number of stock-holders, thus practically becoming the business-agent or "Walking delegate" of his corporation. Taking human nature as one finds it,it would be only natural for the superintendent to be prejudiced against the workman who, representing his fellow-employers,dared to present a grievance in their behalf. To avoid this unpleasant and almost inevitable discrimination,organized labor prefers to appoint to this difficult task a man who can not be touched by the corporation because of his aggressive interest in behalf of its employes."*The method of collective bargaining is not confined to workmen who are organized into unions.Meetings of laborers are sometimes held which constitute temporary committees to represent them

*-Samuel Gompers-Open Letters to Ministers P5 ff.

with committees from the Masters and by this means bargains are effected. However the union has the most effective machinery to put the plan into operation,and the only means,so far devised,of accomplishing it for a large territory.A continued organization is not only necessary to meet the differences which may arise with various firms in particular districts,but also to interpret the conditions and bring about peaceful renewals of agreements. The agreements and the plan of the organizations to bring them about have become very extensive in the United States.There may be collective bargaining for a single firm of any industry,but usually the bargaining is done for all those of one craft in a particular city or town and in some cases for those in a district or even a state.For instance the Carpenters and Joiners Union has its local organization in a single city or town,it has its district council including representatives from say four or five or more local unions and this council is in turn represented in the Central Union and this may send representatives to the National Convention.

All the members of the United Brotherhood of Carpenters and Joiners of America have a close connection one with another through this series of organizations and are ready to stand by one another in the struggle to get the best possible return

for their labor.This, however,does not complete the organization for the allied crafts as the masons,house painters, plumbers,plasterers,building laborers may join in an agreement to support each other.In like manner great organizations have been built up in a variety of industries as among miners, iron workers,textile workers,garment makers,railroad employees etc;which have the combined strength of nation wide organizations and agreements with allied crafts. Added to this in theUnited States is the American Federation of Labor to which almost all the unions belong and in which they unite for their common welfare."That may be accomplished by such combination is described in "Industrial Democracy" when speaking of the building trades--,"This collective bargaining arranged at a conference between the local Master builders ,and the local officials of the National unions,settles,for a specified term,the hours for beginning and ending work,the minimum rate of wages,the payments for overtime,the age and number of apprentices to be taken,the arrangements as to piecework,the holidays to be allowed,the notice to be given by employers or workmen terminating engagements,the accomodation to be provided for meals and the safe custody of tools, and the numerous allowances or extra payments for the travelling,lodging,"Walking time," "grinding money,"etc.These elaborate codes,unalterable except by formal notice from the

organizations on either side, thus place on a uniform footing as regards the hiring of labor the wealthiest contractor and the builder on the brink of bankruptcy, the firm crowded with orders and that standing practically idle. On the other hand, the superior workman retains his freedom to exact higher wages for his special work, whilst the employer of superior business ability, or technical knowledge, and the firm enjoying the best machinery or plant, preserve, it is claimed, every fraction of their advantage over their competitors."*

"With the appearance of collective bargaining has come the "expert negotiator"--- a person who has specialized in the matter of agreements and who has acquainted himself very thoroughly with the details of the industry or trade involved. It is not right to assume that the wage-earners make unfair demands for advance of wages or shorter hours with no regard to the conditions of the industry in which they are employed. That unfair and even preposterous demands have been made altogether too often in the past we cannot deny. These may be classed with the lessons which have to be learned in any movement of reform. With the learning of these lessons, the workmen have come to realize the need of understanding a multiplicity of details

*Sand B. Webb--Industrial Democracy--Vol. I, P 175.

affecting the industry and more and more the expert negotiator is being employed.Adraw-back has appeared in the desire of the workmen to have one of their own men--a person actually working at the trade concerned,to represent them. It may readily be seen that many men expert in the craft cannot and never will be able to comprehend all the economic conditions which must enter into every agreement.Moreover many of those who have been selected by the unionists from their own craft to act as agents have not had the keenness of mind necessary to cope with trained business men whose routine work is the making of agreements and bargains.By this the laborer has repeatedly suffered until we are now at the time when salaried men are employed for this work. Mr Gompers very curiously seems to feel that it is to the union's credit that he is able to say of these agents--"They are usually underpaid,when one considers the character of the work and other demands which are made upon them.The business agent of a labor union receives his salary on the rate of wages which prevails in his craft.The international officers, who carry great responsibilities,which demand executive ability of high order,receive only what is paid an ordinary clerk in the office of a corporation.It will be interesting to note that the term"Talking delegate"

had its origin in the action of a New York labor union which refused to pay the car fare of its business agent".* From such conditions it will not be difficult to see one reason why many blunders have been made by labor organizations.Low paid agents are very likely to be inefficient. Ill-timed strikes,unreasonable demands,breaking of contracts, even acts of violence,may easily be accounted for in the employment of untrained negotiators.

There is a feeling abroad among many people that these agents are supreme in calling strikes and in all other actions of the union and that the men are entirely dominated by them. Very probably there have been agents who have either won or bull-dozed their unions into submission.We have frequently heard of cases where men have not dared to vote against a strike when they were absolutely out of sympathy with it. Such conditions are the exception and are not to be considered common.The theory and general practice are the opposite.American workingmen are usually independent and not easily ridden over rough-shod.The agent has the right to state his ideas and urge his plan,but the calling of a strike and the ending of a strike is done by the vote of the members of the union,and the agent has the authority to announce the result.A popular idea is that these men are

* Samuel Gompers--Open Letter--P.5.

especially employed to bring about strikes,whereas their success is measured in proportion as they are able to keep their men continually at work under favorable conditions. So far as being advocates of strikes,if records could be prepared it would be found that agents prevent far more than they instigate.

It is also charged against business agents that they have been susceptable to graft of various kinds.That they would threaten an employer with a strike in the midst of a rush season unless a certain price was paid,or that when a strike might have ended with success to the union,the agent has called it off for a price.This kind of thing was more likely in the early history of the movement than it is now.As in all conditions of men we find rascals,it would be very strange if we did not find some of them among business agents.Also,as in other business enterprises,it is only a matter of time before they are found out and dismissed.Very many of the charges are without foundation in fact,when they are carefully investigated. Some no doubt are true.Probably no more business agents are guilty of fraud than the proportion of like men employed in other work with equal temptations.

Sometimes the walking-delegate is denounced as offensive in the use of his authority.This also is true.Likewise it is not consistent with the plans of unionists and is frowned upon by them.A member of a labor organization told of the

following incident. A small manufacrurer in the midst of a rush period found it necessary to go down into his packing room to help his men that he might get his orders shipped in time to fulfil his contracts. None of his own men objected to his presence or his assistance. The business agent happened in while the employer was thus engaged and ordered him to quit doing the work himself and if necessary hire another man or he would call the men out on a strike. It was one of the standing votes of the union that the agent could call a strike if non-union men were employed. The owner had no choice but to obey, for a strike at that time would have been a very serious thing for his business. On being asked what he would have done had he been that employer, the union man who told the above said-"I'd have kicked that business agent out." The interference was both petty and unnecessary. Such annoyances cannot be entirely obviated, yet thatattitude of the union man quoted above, is no doubt the general attitude of the great mass of of sensible trade unionists.

The chief difficulty with collective bargaining is not the making of the agreement, but the interpretation of it. In some of the trades the agreement is so simple that there is rarely any trouble, but in others where the articles produced change with varied seasons, fashions etc,

many nice question as to the amount to be paid a piece or a dozen arise.It is evident that each change of style cannot be foretold in a five year or even a one year contract.In the textile and shoe industries,for instance, even when careful and extensive lists have been made out in the agreement,unlooked for emergencies appear.The workman is jealous to get the ~~to get the~~ highest possible wage and the employer to get the work as cheaply as he can. One of the best means hit upon to date for such a difficulty is a committee of interpretation composed of equal representation of workmen and masters which goes over the proposition in detail and strives to come to an equitable arrangement. In some cases an outside person is added who acts as umpire in case of a deadlock.This impartial member decides the question after hearing the case from both sides. Usually his decision is agreed upon as final.It must be added here,that many unionists will quickly disclaim any acceptance of this plan as a part of their policy in regard to collective bargaining,for the reference of a deadlock to an impartial umpire smacks too much of compulsory arbitration--a thing they particularly reject.Another method of handling differences in the interpretation of agreements is by using an expert agent--very often the union business agent and an expert representative of the employers who

are thoroughly competent to settle the mooted questions in a fair manner. Sometimes these persons are members of a committee of their respective employers and work back through the committee to the union or firm as the case may be and thus secure the ratification of their conclusions. This method is probably the most satisfactory of any yet found. Some persons may object to it because the plan gives even larger authority to the badly abused union business agent, but if he is fitted to do the other work which falls to his lot, surely he is qualified to act as the union representative in interpreting agreements.

In conclusion we must admit that the method of collective bargaining is not perfect in gaining desired results. In many of the industries it is worked only in a crude way. Even where it is developed to its highest efficiency, it does not give absolute satisfaction. But after all is said and done it is the best method yet devised and in almost every case where wages have been largely advanced, collective bargaining in the hands of organized labor has been the means used. The following chapters contain some of the methods and results of its application.

CHAPTER III.

THE MINIMUM RATE--

The term "Minimum Rate"is adopted because it expresses most fully the policy of trade unions in the United States in regard to wage agreements.The "minimum wage"and the "living wage" are phrases used synonymously. By a living wage is not meant one which furnishes a bare existence,but one which gives a reasonable opportunity to secure those things which make up a comfortable living.All unionists would strongly support Adam Smith when he says,"It is but equity that they who feed, clothe, and lodge the whole body of people should have such a share of the produce of their labor as to be themselves tolerably wellfed,clothed,and lodged,"*but most workmen would go even farther and declare that the rate of wage should guarantee a standard of living that would enable every family so to live as to gain and maintain every means conducive to physical,mental and moral welfare.

Let us note of this minimum rate that it is a <u>mimimum.</u> Many unthinking people make charge against the union that it does not give a better workman the opportunity to gain his legitimate wage increase over an inferior workman.Such persons do not seem to know

*Samuel Gompers -Paper before International Congress Chicago Ill.1893.

that the minimum rate is not a maximum. There is absolutely no objection to paying a better price for better labor.Indeed this is often done."The unions do not demand equal earnings for all workmen,thus reducing the skilled workman to the level of the lowest .They do insist that a minimum or living wage be paid;but there is nothing in the laws of the American Federation of Labor or any of its affiliated unions that prevents an employer from paying any employe as much as he pleases."* The same authority also states,"The unions prescribe a minimum living wage; not a maximum wage.They insist upon a living rate,and never interfere with an employer desiring to reward superior skill or merit, the charge of labor's enemies to the contrary not withstanding."** Investigation will prove this to be true.

Let us not forget that the minimum rate does not apply to the day wage only,but also to all piece-work agreements. If only certain classes of union men were asked about their attitude toward piece-work,one would think that all organized labor is opposed to it.For instance in the constitution of a District Council of the United Brotherhood of Carpenters and Joiners of America one of the stated objects of the Council is""to discourage piece-work."However in some crafts

* Samuel Gompers,Open Letter.P.4.

** Samuel Gompers,Organized Labor-P.6.

no other fair standard of payment could be made so that piece-work becomes not only desirable but indispensable to both employer and employee.For example in such industries as textile,shoe,cigar etc.

The minimum rate is necessary to collective bargaining even when agreements are on a small scale.As a matter of fact in many a shop,and even district,where the labor unions have not reached the standard wage is set voluntarily,and no doubt often unconsciously, by the employer for practically every kind of work,though the rate may be lower than the minimum which a union would desire.There are persons who believe that the minimum rate means equal wages for all workmen.For this reason the plan is severely criticized .We have seen that the policy of the union does not intend this.Moreover the union does not intend to force the master to employ an incompetent workman. "Nor,---do the unionsinsist upon the employment of incompetent men.Where agreements exist,the employer can hire any man he pleases in compliance with the terms of the agreement.Where no agreement exists,the union has no jurisdiction in the matter,but in either case the employer has every right to discharge the in-competent,shiftless employe."*
The minimum rate is for work actually produced and has nothing to do with higher wages for superior workmanship

* Samuel Gompers-Open Letter.P.4.

or for larger production or for both. Indeed organized labor encourages the ambitious workmen that he seek to better himself.In some local unions excellent libraries are to be found in which members can learn of their craft, in others classes of instruction are offered and younger members are especially urged to join,and in most of the craft journals a fair proportion of the space is given to helps in the practical work of the industry.

In piece work it is immediately obvious that the more skilled man working at the same rate per piece as the less skillful will gain all the value of his superior ability by his increased output and hence larger wages.It is readily seen that in time-work the earnings will be more nearly equal than in piece-work.This is not because the minimum rate cuts off the superior time-worker from the extra wage which his greater efficiency should give him. Experience does justify the conclusion that, the minimum rate there is less tendency on the part of the employer to give the time-worker extra pay for special skilled tasks. Yet this is admitted by the skilled men in organized labor there is rarely a complaint.They recognize the fact that there are honest,industrious plodders who do their best,and they seem quite satisfied that these fellow workers should profit regularly by a minimum rate which may occasionally cause them a loss of extra wage.

Nor is this kind of thing confined to time-workers. Very frequently piece-workers of exceptional skill will regularly keep down their personal outpnt for fear that if they are found to be producing above a certain amount the price may be cut to a figure at which the less dextrous could not make a living.The unfortunate feature of the matter is that the fears referred to have had altogether too much ground in actual experience.

This then lays before us the method which unionism has found most efficient in aiding the workman to sell his labor to the best advantage.That by its use wages have been increased,no-one will deny.The increase has varied greatly in different trades,but the general movement has been a decided advance.In some cases the pay has nearly or quite doubled in twenty years and with that the working week has decreased from 60 to 48 or even 44 hours.This does not mean that the increase has been one of unlimited gain to the laborer.With the increase has come the rise in prices, but even so prices have not risen to that extent which would make them commensurate to the increase of wages. Moreover in some cases prices have decreased where profits and wages have increased because of the larger effiency of newly invented or improved machinery. Man produces more than he consumes,therefore in a given trade his increase of wages is bound to help him.The great rise in prices which has occurred during the years of the perfect-

ing of labor unions cannot be ascribed to the increase of wages alone.There is no doubt that correspondingly large or larger profits have gone hand in hand with the increase of wages.The greatest suffers are the so-called non-producing classes and those laborers of all kinds whose employment does not lend itself readily to unionism.

Another point which organized labor makes is that well paid workers are not necessarily unprofitable to the capitalist.It has been proven that the kind of work for which no wages is paid may be the least profitable.* Likewise it can easily be shown that poor workmen at low wages are more expensive than good workmen at high wages.Mr Frederic Harrison pertinently puts one phase of it when he says- "The workman whose intelligence requires no more than the minimum of supervision is a cheap bargain even at the maximum wages."The view of the unionist is that a well paid workman who can secure for himself and family the things which go to make for a high standard of living is cheaper in the long run to the employer than one poorly paid,and it is not now uncommon to find employers who agree.

The unionist also emphasizes the fact that he does not advocate a rise of wages when economic conditions do not warrant it.By this he does not mean that under such conditions increases have not been fought for in the past--undoubtedly they have;but he ascribes such mistakes to ignorance or

* See Carrol D.Wright--"Industrial Evolution of the United States." P.151.

misunderstanding.It is not the plan or policy of organized labor to be so unreasonable.He does insist, however,that the employers systematically refuse to acknowledge that conditions are such as to warrant a rise when they know perfectly well they are so.It is from this unfortunate state of affairs that so many difference arise.It is very evident that an undue increase of wages would in the long run be disastrous to the workman and the trained leaders of the unions,at least,are acute enough to recognize it. One of the important tasks of the trained negotiator is to know economic conditions relative to the industry so well that he will be able to judge correctly whether or not a demand for an increase is reasonable.

In so far as wages are concerned we believe that a fair survey of the history of American industries in the last fifty years will show that the method of collective bargaining as worked through the means of the minimum rate is reasonably successful.To date no better plan has appeared.

CHAPTER IV.

THE SHORTER WORK DAY.

Many trade unionists call the shorter work day the chief policy of organized labor.As far back as 1893 Mr Gompers said-"The expressed demands of labor are first and foremost a reduction of the hours of daily labor to eight hours today,fewer tomorrow."* "The shorter workday is the most important question before the labor movement, and will continue to be such,because it is the simplest and most direct way of adjusting the problems ofdistribution."**Just as collective bargaining calls for a minimum wage,it also calls for a maximum workingday or week.It is clearly evident that the workman will be unable to set the rate of remuneration by wages alone;it must be also agreed how long he shall work for a given sum.The agreement on the length of the working day is comparatively new to organized labor.Not until the opening of the nineteenth century do we find any widespread interest in the matter.During that century its importance came to be more and more recognized until it has come to hold the first place among the policies of unionism.It may be safely said that on no other subject have union men written so freely as on the shorter workday.

*-Paper before International Labor Congress-
Chicago Ill.1893 P-6.

**-Walter Macarthur-Trade Union Epigrams-P-5.

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*-Paper before International Labor Congress-Chicago 1911. 1905 p-6.

**-Walter Macarthur-Trade Union Epigrams-T-5.

The attitude of the laborer is well put as follows- "When an employer engages a laborer at so much a week, the length of the working day clearly forms an integral part of the wage contract. A work-man who agrees to work a longer time for the same money under-bids his fellows just as surely as if he offered to work for less money. He sells each hour's work at a lower rate. Among all time workers, therefore, who are paid by the day, week, or month, the insistance on a Normal Day is a necessary element in the maintenance of their standard rate."* We may quote from the same authority to show how the union piece-workers reason on shorter days: "To them (unionists) it seems obvious that the actual earnings of any class of workers are largely determined by its standard of comfort, that is to say, the kind and amount of food, clothing, and other commodaties to which the class has become firmly accustomed.- There is, in fact, the Trade Unionist asserts, in each occupation a customary standard of livelihood, which is, within a specific range of variation, tacitly recognized by both employers and employed. Upon this customary standard, the piece-work or hour rates are, more or less consciously, always based."** Now while the above is undoubtedly more true of European than of American laborers,

* S. and B. Webb--Industrial Democracy-Vol I, P.33I.

** S. and B. Webb--Industrial Democracy-Vol, I, P.332.

there is more or less general application of like conditions here.Such being the case- That the wage-earners' compensations remain just about up to a certain recognized standard of living,the unionist declares that every hour cut off the working day is an advance in the price of his labor.In this he is correct.

Let us see how the matter is viewed in America. "Take any one establishment where a large number of workers are employed,and it will soon be learned that those workers whose hours of labor in that establishment are the longest,receive the lowest wages paid to any employes therein; while those who enter the works daily the latest in the morning,and depart earliest in the evening ,are in receipt of the highest wages.---In the study of this apparent paradox,we shallsee, too,that this rule of which we have spoken does not seem to vary when the skilled and unskilled workers are compared.That is all other things being equal. When skilled workers in any one indu stry work longer hours daily than do the unskilled workers in another industry, or calling,the same rule will apply.An instance will demonstrate this.

"Factory wood workers work from ten to twelve hours a day;wages from $ I.25 to $ I.75 per day.Machinists usually work ten hours a day;wages about $ 2.00 or $2.50 per day. Hod carriers work usually nine,and, in some instances, eight hours a day;wages range from $ 2.25 to $2.75 per day. Were the machinists,wood workers,and others to devote more

of their skill to the plain as well as the scientific consideration of their interests,and secure a reduction in their hours of labor to eight per day,is there any doubt that it would be followed by increased wages ?" * The argument here is not clear. The result might be what is depicted,but whether it would come as a result of shorter hours or because the men had organized so strongly as to demand shorter hours and afterward higher wages is an open question.

The following continued quotation is fairly typical. "Suppose the workers would argue somewhat as follows:"The greatest article of value known to man is time.Heretofore we have sold you ten hours of our time each day,for which you have paid us $ 2.00;when we demurred to this low price you answered that there was a great glut of that article-time (labor),in the market;now since time(labor) is the only article that we possess and have to sell and must sell,and since there is such a glut of it in the market, we propose to economize and to offer you only eight hours daily of our time(labor),reserving the means(vitality), strength)to sell you the same quantity of time(labor) today,tomorrow and the days yet remaining to us.This will relieve the glut in the market,and according to the law of "supply and demand,"the immutability of which you

* Samuel Gompers--The Eight-hour Workday. P.3.

have so often and so unctionsly spoken, the price of the article we have to sell, time(labor) will rise." Perhaps many of the workers do not argue in this fashion, but their movement to reduce the hours of labor is in line with its reasoning."*

"The reduction of the hours of labor increase production by virtue of the law that demand increases supply."** This leads us to another contention of the unionist i.e. that shorter hours increase demands for better living and so force up wages, and at the same time increase the total products because they cause a greater consumption of them. "The lessening of the daily hours of labor increases the total products by increasing the opportunity and disposition for consuming them. The sum of the difference between a savage and a civilized state is merely the difference between men who have time and inclination to gratify their physical needs only, and men who have time, inclination and determination to indulge and cultivate the intellectual side of their nature."***

"The Trade Unions have concentrated all their forces upon the movement to reduce the hours of daily toil, not only as has been often said to lighten the burdens, drudgery and severe toil, but also to give the great body of people more time, more opportunity and more leisure in order to create

**-Walter MacArthur-Trade Union Epigrams. P.5.
*-Samuel Gompers - The Eight-hour Workday P.3.

***-Walter MacArthur-Trade Union Epigrams P.5.

and increase their consumptive power;in other words to relieve the choked and glutted conditions of industry and commerce."*The claim is with shorter hours and increased time for recreation and self-improvement the wage-earner is enabled to rise to a sufficiently higher plane of living that the economic conditions of the country are advanced by an increased demand for its products.

It is not uncommon for those who oppose the Shorter Workday to declare that the men have just so much more time for drinking and debauchery.Sweeping charges of this character are generally based on a limited knowledge and little evidence. That there are some men who so use their time no one can gainsay.But to claim that the increased hours away from work will be so spent by the generality of workmen is to brand the general run of our wage-earners as drunkards.This we well know is not their character.It is a noticeable thing to see a drunken workingman-it is not to see one sober.Who knows how many use their time to good advantage? Attending to their own affairs they pass on their even way unnoticed.Unionists claim that the time is well spent and that union meeting rooms take the place of the saloon as rendezvous.But however this may be we have no more right to enforce longer hours of work upon a man because of a supposed betterment of his moral being,than we had

* Samuel Gompers-The Eight-Hour Day, P.3.

in 1861 to keep the negro enslaved "because he would be better off in slavery than in freedom."The workman had much reason on his side who said,"It is wonderful how deeply interested our employers are in keeping us fellows straight by long hours of labor,and how little interest they show in our welfare when it comes to sanitation and safety devices."

Not only does the unionist declare that shorter hours bring about a greater consumption of the products of labor but also that the less time devoted to production and the greater demand for the products insures employment to a larger number of workers."There are hundreds of thousands of our fellow men and women who cannot find the opportunity to employ their powers,their brainand brawn to satisfy their commonest and barest necessities to sustain life.In every city and town through this broad land of plenty gaunt figures, hungry men and women,with blanched faces and children having the mark of premature age and emaciated conditions indelibly impressed upon their countenances,stalk throughthe streets and highways.---"e demand a reduction of the hours of labor which would give a due share of work and wages to the reserve army of labor and eliminate many of the worst abuses of the industrial system now filling our poor-houses and jails.The movement for the reduction of the hours of labor is contemporaneous with the introduction of labor-

saving machinery and has been the most faithful of all reformatory attempts of modern times,since it has clearly revealed the power of the working people to realize an improved industrial system and raises the hopes that we may yet be able to stem the tide of economic,social and moral degradations,robbing those who work of four-fifths of their natural wages and keeping the whole of society within a few months of destitution."*All of the foregoing we may not admit,but any thinking person knows that it has a great deal of what is,sadly,only too true.After we eliminate all who can possibly be termed unemployable from the ranks of the unemployed,there are still thousands in every large city who sincerely desire and are unable to secure work.No-one with a spark of compassion can be untouched who has stopped at an newspaper office and noted the variety of persons eagerly scanning the want column or who has seen the scores that apply for a single position which only one can secure.Even when we consider all that the economist has to say about the need of farm laborers in the harvests and the opportunity of taking up government lands or deserted farms--of the over supply of labor in the centers of population and the under supply

* Samuel Gompers, "Address Before the International Labor Congress ,Chicago Ill.1893.P.7.

in the scattered communities,we have no adequate plan for the solution of the problem of the unemployed. There is every reason to believe that the theory advanced by organized labor would work out as they argue to give us at least a partial solution of a very serious and troublesome problem.

William Trant gives this view,"Sometimes the men demand shorter hours.To work a less number of hours for the same amount of wages is naturally attractive to the workman.He not only sees that such an agreement gives him more time for recreation and the enjoyment of home comforts--for billiards,books or beer,-without calling on his wife to "pinch, cut,and contrive,"but that the reduction of hours causes more of his fellow workmen to be employed. The demand for a commodity being the same,and the number of working hours being diminished,more men must be employed to produce the same amount of work in less time. Men who were forced to be idle are thus provided with employment.These additional workmen become spenders as well as producers and the advantagesof that he knows to consist in a general improvement all around.In thus benefiting himself,therefore,he is benefiting his class. No action of the trade unionists has been crowned with such signal success asthat to bring about the reduction of hours."*

* Trade Unions--Wm.Trant.N.A. P.25.

A problem which faces the workman is the continual inventions of labor-saving machinery alluded to in a quotation above. We regularly hear of new machines which reduce the number of hands needed to produce a given article by one third or one half. The workman has always been haunted by the fear that by this means he would loose his opportunity of gaining a livelihood. Indeed it is a matter of history that the laborer has sought to protect what he considered to be his right to earn a living in his chosen vocation by attempting forceably to suppress inventions which looked toward the saving of his labor. In his "Industrial Evolution of the United States," Carrol D. Wright shows that this matter of the saving of labor by improved machinery has been very extensive--quite sufficient to alarm the wage-earner; but he also points out that with the displacement of men in some lines there has been the opposite result of increasing the demand in others and of creating entirely new lines of labor. Just how far the displacement of labor or the expansion of labor caused by new machinery goes it is impossible to say, but we can see that the one is in some measure compensated for by the other.

It is not the policy of trade unions to prevent the use of improved machinery, but it is their contention that,

in common with the community at large,should profit thereby.Their contend that it is their right to enjoy some of the saving and that it should come to them in the form of fewer hours of labor rather than a continuation of the same number of hours and the loss of employment to many workmen."With the complete specialization of labor and the enormous increase in production,the wage-earner should by every logical reason reap the benefits of labor-saving machines and labor-saving systems so he could participate in the industrial progress and the blessings of civilization with fewer hours of daily toil and more hours for leisure and opportunities for recuperation,study and reflection and activity of citizenship."*

A further question about the shorter work-day is-how about the amount of the products of labor ?The old cry was a man can do as much in nie or eight hours as in ten.This dogmatic assertion is now less frequently heard among trade unionists but the real truth of the matter still stands -namely,that the products do not decrease in ratio with the decrease of the hours of employment ."What is very surprising is that the employers believe that they can get more work out of a man when they work him to death.They forget that it is not the miles one

* Samuel Gompers-Report-Toronto I909.P.II-I2.

travels,but the pace that kills.They ignore the doctrine of Adam Smith,that 'the man who works so moderately as to be able to work constantly,not only preserves his health the longest,but in the course of a year ececutes the greatest quantity of work.Capitalists do not pursue such a policy in regard to their horses.The fact is,they are not thinking of their men.They are brooding over their valuable machinery standing idle,and calculating what it would bring them if it went on working a few hours longer.The manufacturer sitting in his counting house,within the sound of the murmur of his machinery and the clinking of his engine hums to himself at each clack of the flywheel,'So much for me, so much for me.' And when he beholds his 'hands' leaving for home ona summer evening while it is yet light,and no longer hears the heavy beat of the beam or rattle of the shuttle,he looks upon the stillness as the symbol of his loss.Such a man must be very miserable Sundays."*This somewhat garbled and distorted vision is no doubt one which many workmen hold.In some instances it is true to life,but to fasten it to the great number of employers is decidedly unfair.At the same time history has altogether too much to tell that substantiates ~~it~~ it.The following from the same pen is more to the point."It is now,however,a well ascertained fact that,within certain

* Wm. Trant--"Trade Unions"--P.25.

limits,more work is done as arule where there is a prospect of an early cessation from work than when men know that they are doomed to several hours of continuous employment.A few years ago the average day's work in England was ten hours.On the Continent it was twelve,in Russia sixteen or seventeen;and yet it is calculated that two English Mowers would do in a day the work of six Russian. Russian factory operatives worked seventyfive hours in the week,when those in England worked only sixty,yet the work of the former was only one fifth of the latter.When the average working time of a miner in South Wales was twelve hours a day,those in the North of England worked only seven,yet the cost of getting coals in Aberdare was twentyfive per cent more than in Northumberland.It has been well said,"The workman who cannot tire himself in eight hours is not worth his salt."*The illustrations used here are in no way final but they do show the trend of the thing.A "boss-carpenter" recently said,""We work a great deal hadder now in the eight hours than we did in the ten;and unless a man will hustle,he cannot hold a job with us." We may well believe that the eight hour day does not cause a total loss of two hour's products from each man ,and we may safely conclude that the shorter work-day--the shortest possible to meet the best economic conditions

* Wm. Trant--"Trade Unions"-P.25.

of the country is the workman's right and ought to be secured to him.Here stands organized labor and rightly.

In close connection with the shorter work-day is the union's demand for one day of rest in seven.Apart from any religious desire to keep the day ,the physical and mental need of a rest day for recuperation is recognized.The value of the rest and change which such an interval brings is fully appreciated by the unionist and is as earnestly demanded as the shorter day. In a pamphlet published by the American Federation of Labor (undated) which is an appeal to "All working people to organize,unite,federate,and cement the bonds of fraternity," is put as sixth in its declarations the brief word--"Release from employment one day in seven." To this demand is now generally added,"Saturday afternoon off all the year round." In other words to the shorter work-day is joined the shorter work week --instead of six day, five and one half-days.

The chief complaint against this change is where it is said to interfere with certain kinds of business as stores, and shops in which machinery suffers from standing idle. In stores where it is very desirable to keep open Saturday afternoon and evening,some other afternoon,often Wednesday or Thursday,is selected for closing.As a usual thing this half-holiday is confined to the summer months,June,July,

and August.Most of the employers with whom the matter has been discussed have declared themselves in favor of extending it the year round and they believe that it could be granted without loss to the owners,"if someone would take hold of it and push it through." Very evidently the influence of the union could be of good advantage here.Practically all the crafts which are organized have this afternoon free, except where the industry obviously prohibits it,while it is among the unorganized workers that we find it granted only three months in the year or not at all.It should be noted here that owners and managers of large stores very rightly complain of the great number of small dealers, especially in clothing,shoes and dry-goods, who keep open not only on the half-holiday,but also on every week-night. Again the lack of organization is apparent--well organized unions would assist the owners who give the shorter hours by compelling the other stores to close also.Unfortunately even the rank and file of organized workmen neglect to put into practice their theories when they apply to others. This we shall see more in detail when we discuss the Union Label.In passing we note that they regularly and with no apparent recognition of the inconsistency purchase in stores at times when those stores are open in direct violation of the half-holiday or evening closing agreement of other firms in the same business in the city.This is not because of the

policy but in direct violation of the policy of organized labor.

Against the shorter work-day or week there are some employers who argue the willingness and often the evident deliberate planning of the workman for overtime both on week days and Sundays.Very likely this does occur.The desire for gain is strong within us all and this gives the employee a chance to speculate a little with his capital i.e. time.However, this is not in accordance with the policy of trade unions which seek to discourage all over time by having the employee satisfied with his living and by charging the employer a sufficiently high rate to make it unprofitable.Commonly the unionist gets'time and a half' for all overtime--half as much again per hour,and any fraction of an hour counts one full hour .In some cases double time is charged.Among other reasons this stand is taken to cause a more even distribution of labor by forcing the master to emply a sufficient number of men to carry on the trade without overtime.

Chapter V.

GENERAL CONDITIONS OF LABOR.

Trade Unions demand the best conditions possible for the protection of the physical being of the workman.This means that the place of employment be furnished with proper facilities for lighting,heating,ventilating,preventing accidents etc.In any mill town in the East where manufacturing has been carried on for a long period the newer factories can be detected immediately by the larger size and greater number of windows--an indication of the better conditions which are rapidly coming to be.The tendency is toward keeping windows and floors just as clean as is consistent with the kind of work done.The provisions for the comfort of the workers such as resturants and eating rooms, smoking rooms,lavatories,lockers,first aid appliances in case of accidents and such things are all in the direction toward which the union has labored and in which,during recent years it has seen a rapid advance.A veteran cordwainer makes the following statement in testimony of the change for the better in shoe-shops."They call it comfortable,picturesque,artistic and a few other things,but I have a pretty clear recollection that the little old-fashioned shoe-shop was a second cousin to the Black Hole of Calcutta. It was small and low studded ,and had one window and one

door,and to make sure that none of the dead air should get out,and no fresh get in,all the cracks and chinks were stuffed with rags and paper.The salamander stove ,in which leather scraps were burned,smelled;the spit-box filled with saw dust and stale tobacco expectorations, smelled;the soak tub,whose water wasn't changed from onemonth's end to another,smelled so much that when an apprentice lad clumsily tumbled ,or was craftily pushed,into it,he went home and buried his clothes with as much ceremony as if he had met a skunk.There was no running water to drink and no toilet arrangements of any sort in that old fashioned shop.The walls were dull,the light was dim,even when the smoking oil lamp was burning,and the air was foul.Is there any wonder the consumption ran rampant among cordwainers ? Men who have worked all their lives in a modern shop,whose temperature is kept at 70 all winter, by a steam heating plant,whose air is frequently changed by ventilating fans,and whose walls are painted bright and whose floors are disinfected,and whose sanitation,ventilation and light are up to or in excess of the requirements of the law,do not realize how much better chance they have to do a good day's work and live to a green old age,than the cordwainers who toiled in shops of 30 years ago."*

This picture given in an old workman's words is a fair

* Quoted in Salem Mass,News,Trade Department Column Nov.26,1912.

example of what we may see in almost all factory industries.

Overcrowding is another menace to physical welfare against which organized labor has been directing its efforts. Especially in the "sweated industries"in small,poorly-ventilated,poorly-fire protected shops or rooms a large number of persons are employed at such low wages that they are driven to the utmost to earn enough for a bare existance and under the most unfavorable conditions.For instance the garment workers who are in the upper stories of some New York office buildings in times past have been literally packed into these low-studded rooms,which were not intended for factory purposes, under conditions which were decidedly enervating because of overcrowding.In many states there are now laws that demand a certain number of cubic feet of space for each person,require fire escapes and proper means of ventilation.The unionist has been a great agitator in the matter yet in some cases it has been impossible to get reasonable laws with efficient enforcement until a dreadful fire has occurred in which lives were lost because of a criminal negligence in supplying proper protection.A strike now commencing(Feb.,1.1913)among the garment workers in Boston is,among other things,"for better sanitary conditions and elimination of tenement house work." Both of these are as decidedly in the interest of the consumer as of the worker.

Not only does the union demand conditions conducive to good health,but also adequate protection from injury by machinery.As machinery has come more and more in use the need of all kinds of protective appliancies are necessary.In the earlier days these things were largely disregarded.The workman took his chance not only from his own possible carelessness but also that of his fellow laborer.Twenty years ago the writer worked in a chair shop.In this place was a saw for squaring planks and boards and for cutting them up into proper lengths for chair seats.The saw was on a swinging shaft which hung down from the main shaft and was operated by the workman pulling the saw toward himself through the plank.In the early days of its use this keen-edged,dangerous tool was whirling on its way entirely uncovered.Older workmen used to tell of the sawyer who slipped as he reached for the saw,fell across the bench and was partially disembowelled. Of course this was forty years ago,but the strange thing is that the saw continued to be uncovered until a foreman who was hurrying on a rush job,reached for the handle,while turned to shout directions to another man,and placed his hand directly on the saw and was maimed for life.After this accident a protecting cover was put over the saw.All that was needed was a piece of oak wood three inches wide and about 30 inches long, steamed and curved and attached on the frame above the saw.

One of the workmen did it all at the expense of two hour's work. This illustrates with reasonable fairness the general attitude of employers with regard to safety appliances. A railroad man of many years standing says, that no safety devises for the welfare of their workmen have been adopted by railroads until the law made them imperative.

That provisions for safety even in the most dangerous kinds of work may be develpped to a remarkable degree can be illustrated by the management of some of our great terminal stations, as the South Station in Boston controlled by the South Terminal Co. In rush hours over eight tracks sixty nine trains are handled in sixty minutes, and throughcut each business day (which is practically eighteen hours long) eight hundred regular trains, beside extras, are moved. In special times, as, for instance, during the Harvard-Yale football game in New Haven, in addition to all regular trains, from twelve to fourteen extras are run in less then two hours during the busy morning period. All this is accomplished with accidents occurring only in the very rarest cases and delays remarkably infrequent. No doubt the care is primarily for the passenger, but the employee benefits by it. In the main tower two directors on each side of the building give the orders and the switchmen repeat them as they throw the signals and switches. A chief director is present and in charge. Each

movement of trains is recorded.Interlocking switches and double-lighted signals are used.Should a train run past a signal set against it there is a special whistle controlled in the tower,the blowing of which demands immediate stoppage of all traffic,which may be sounded.Organized labor believes that what is done for the safety of the travelling public ,should also be done to protect the working public while at work.

Much has been done towards better sanitation and safety devises by legal enactment.The United States and a large majority of the states have passed laws limiting the number of consecutive hours that railway workmen may be employed.No b doubt this law was primarily for the safety of the travelling public--never-thepless it works for the benefit of the employee.Many states have laws regulating the hours of labor in unhealthful occupations as mines,smelters,laundries,etc; where eight hours is usually set as the length of the working day.In New York drug clerks can be worked only 70 hours and in California 60 hours a week.The California statute states that the law is for"the protection of public health." Evidently the intention is to protect the public from mistakes in prescriptions dispensed by over-worked clerks.

For many years trade unions have advocated suitable laws compelling adequate compensation in case of accidents.In regard to employers liability and automatic compensation laws, Mr Gompers says--"This important problem is now receiving

serious and careful attention.The workers have contended for it for a long period of time,but in the recent past many other thoughtful persons have given this subject a special study,and, from the many sympathetic utterances which now reach me,show an active consideration.I am hopeful that legislation of this character will soon take a uniform and definite character.

"The old fallacies like"assumption of risk","contributory negligence," "fellow servant" responsibility, and recognition of courts of the validity of "waiving rights"in order to obtain employment ,are fast becoming obnoxious to right-thinking men,and instead of the wage-earner and his family being compelled to endure all the mental and financial,as well as physical suffering due to accidents in industry,it is now becoming more acceptable to the minds of those who would conserve the interests of the working forces as the pre-eminent and most logical of all public questions,that the industry should bear the financial burden of accidents to the human factor,exactly as it does now to the mechanical accidents,or accidents through natural elements.

"This view of the subject is becoming as pronounced that the conviction is fast growing that there should be speedily enacted uniform laws by our states for inter-state employments together with a comprehensive federal statute covering all

interstate and foreign commerce that will provide for, and guarantee to, those who are injured during employment an automatic compensation for accidents instead of undertaking expensive and litigation befor the courts to recover damages."* There is no doubt that both employers and employees have been exploited by the unscrupulous lawyers-sometimes called "ambulance chasers"; (who take accident cases on speculation i.e. to receive a large percentage of the award if they win, and nothing if they loose the case) and insurance adjusters of causality companies. Taken on an average employers have been paying nearly or quite as much as a collective or state compensation act would cost them most of which money went to defray court and causality insurance expenses with the two-fold, lamentable result; first, the injured workman got next to nothing, and that only after long waiting; and second, with very good cause the employee came to look upon his employer with enmity. The trade unionist very rightly believes that the cost of caring for injured workmen should be regularly added as part of the cost of the price of the industrial product and that however the injury occurs he and his family should be suitably provided for. In the earlier days this matter was entirely ignored by both master and laborer. The common law has no adequate provision at all for the protection of workmen. Of course in the days of the small or house shop and hand implements no such conditions obtained as in this day

* Annual Report to A.F. of A. 1909. P. 12.

of swift running ,powerful and complicated machinery.Hence it has been necessary to seek something more far-reaching and equitable than "ordinary care laws"by the method of legal enactment.

The following quotation gives an illuminating and brief outline and explanation of the three common forms of Workmen's Compensation legislation.---"An examination of the compensation legislation of different countries shows three general principles or methods of applying this theory(i.e.that the cost of accident should be covered in the price of the product).These principles may be respectively termed the principle of individual liability, the principle of collective liability,and the principle of state liability.

"Individual Liability. Under this principle the liability to compensate the workman is thrown upon the individual employer as an element of the relationship of employer and employe.The injured employe looks for his relief directly to his employer,who thus becomes an individual insurer of the workman against accidents.The principle of individual liability is illustrated in the English Workman's Compensation Act under which employers in every occupation are required,regardless of fault,to compensate any injuries sustained by a workman in the course of his employment,employers being of course permitted to insure themselves against this liability by taking out employer's liability insurance.The act of the state

of New York recently held unconstitutional, and the acts in New Jersey, Wisconsin, New Hampshire, Illinois, Kansas, California, and Nevada, as well as the act being introduced into Congress, are of the same class as the English act.

"Collective Liability --Under this principle the liability to compensate the workman is thrown upon employers collectively in groups according to the industry or the hazard of the occupation. Employers are encouraged or compelled to combine in associations for the purpose of insuring workmen against accidents and providing the funds for the purpose. The injured workman looks for his compensation, not to the individual employer, but to the association or the fund. The principle of collective liability is illustrated in the German System under which employers are grouped by industries under the state compulsion and supervision and required to provide compensation to workmen injured in the industries included in the group. The acts recently adopted in Massachusetts and Michigan are evidently intended to evoke such a system though they do not directly provide for it.

"State Liability.- This involves the assumption by the state itself of the obligation to pay compensation, the cost being levied upon employers, or employers and workmen jointly, through the agency of the taxing machinery of the state. The workman looks for his compensation directly to the State.

This principle is illustrated in the acts of the states of Washington and Ohio. Under these acts the compensation is paid out of a fund administered by a government commission, and the cost is levied as a tax upon industries classified according to risk."*

"Within a few years no less than fifteen states in the Union have adopted some modern form of workmen's compensation legislation ,these are ;-California,Illinois,Indiana,Kansas, New Jersey,Maryland,Massachusetts,Michigan,Montana,Nevada,New Hampshire,Ohio,Rhode Island,Washington,and Wisconsin. New York has the matter under say,as indicated above one law passed by the legislature has been decided unconstitutional. Pennsylvania has a committee at work.While president,Colonel Roosevelt sought to have Congress pass a law covering Federal cases and since president-elect Wilson(December 1912)earnestly worked to secure the New Jersey Act,it is hoped that he will push the Federal law as chief executive of the nation.

There seems to be a fairly general consensus of opinion that individual liability will not do.It puts too great a burden upon the employer and is too slow and cumberesome in bringing relief to the workman.It does not do away with the necessity of law court proceedings.The scheme is largely regarded as a mile-stone on the way to a more perfect system.State liability is considered an excellent method and some economists believe that it will finally survive the other two.To an

* F.W. Wegenast (General Consel,Canadian Manufactures' Association) Survey,Oct 26,1912.

American it seems to smack a little too much of the paternal to suit our ideas of democracy. Collective liability has been well tried in Germany and is pronounced a reasonable success. Possibly in the long run we shall adopt a combination of Collective and State liability. The State of Washington plan has been described as--"a collective insurance system under state administration," and it has many attractive features.* Organized labor cares little for the form. The workmen desire a speedy and equitable compensation which relieves them of the dread terror of disability by accident "when there is nothing coming in, yet mouths to feed and backs to clothe and rent to pay."

The demands of the unionists for a place to work so conditioned as to be conducive to their best health, for reasonable safety from accident and for a fair compensation charged to the cost of the products in case of injury will by all humane persons be admitted as right and just.

*For a very interesting and readable article on the Washington plan see McClures Magazine, Dec, 1912, "Insurance for Workingmen," Burton Hendricks.

CHAPTER VI.

METHODS OF INDUSTRIAL WARFARE.

(I). Strikes. A strike or (lockout)is a suspension of work,brought about by disagreement between the buyer and seller of labor,to compel a concession or concessions on the part of either or both parties concerned as to the conditions upon which production and distribution shall proceed."There has never yet been full harmony between the buyers and sellers of anything in this world."When a strike or lockout occurs, wages and production are not destroyed;they are deferred."* "I trust that the day will never come when the workers,the wealth producers of our country and our time will surrender the right to strike."** "The strike is a part of the wage system just as much as the brake is a part of the necessary equipment of a railroad train.There are three kinds of strikes, the"why,"the "how"and the "when".The first asks why do you seek to reduce wages;the second,how is it that you are making so much money and we are not;and the third,when shall we have an advance in wages and a reduction in the hours of labor,and a fuller,freer life. A strike is a suspension of business for the discussion of these questions,and it is the only way to

* Samuel Gompers--Organized Labor- Its Struggles,Its Enemies and Fool Friends.P.I.

**-Ibid P.3.

compel a careful consideration of the question."*The United States Bureau of Labor defines a strike as--" A concerted withdrawal from work by a part or all of the employees of an establishment,or several establishments,to enforce a demand on the part of the employees." The strike as viewed by the Trade Unionist is what we wish to consider and from the above quotations we can get a reasonably fair statement of labor leaders'attitude toward it."Without this weapon unionism in the industrial conditions of today would be a very sorry spectacle of impotency.It is conceivable that the time will come when fair conditions for both the employer and employee shall be the unquestioned rule--when that industrial millenium does arrive the strike will cease to be,but for the present in very many cases the only hope of the workman is the strike.No right thinking person believes in war,but we all recognize the the fact of the perverseness of human nature and the absolute necessity of a measure of force to counteract it.The strike has been defined as industrial war and as the workman's last resort in his struggle for"living" conditions.By this is not meant that strikes have not been called when unnecessary, but that the theory and the real desire of the union is to avoid the strike whenever possible.It is a weapon that very frequently injures the workman more than the master,yet like a nauseous medicine which one will take for the good it may effect,the

* Geo.E.McNeil--Paper before International Labor Congress,Chicago Ill.1893.

worker willingly suffers much in the strike for the sake of the bettered conditions that it may bring him.The mechanical system which has taken the place of what may be called the man to man or individual system of agreements in all great industries is one of the great compelling factors in forcing the strike to the front.Men who twenty years ago made their own agreements with the owner or manager(when owners and managers knew every workman by name)and then left the laborer's class to take up a profession have little conception of the great change which has come to be. The larger industries have become exceedingly powerful.To meet this the organizations of labor have come to cope with the power that the individual may not be lost.

While the unionist deplores the necessity of the strike with its entailing suffering,he does not believe that all the workman looses in wages during the cessation of work is absolute loss.On the contrary he believes the opposite,i.e.that the strike merely shifts the time of unemployment from one part of the year to another.Not many industries operate full time continually--there are periods when work is slack;the strike simply brings about the slack time and after it is over the employment continues with the usual arerage number of days of work as in other years. In the quotation from Mr Gompers on Page 58 he says,"When a strike or lockout occurs,wages and

production are not destroyed;they are deferred."This statement is doubtless true in its wide application to an entire shop or district,but it is not true in every individual case.Probably many of the sad stories of the great sufferings from losses in strikes are those of individuals and do not apply tothe larger body of the persons concerned.When the loss in production and wages during strikes is given in a lump sum the figures are often startling,but when it is reduced to a per capita average for the workmen of the country it is found to be a trifling amount

The most common causes of strikes are four:a.for increase of wages,b. for the recognition of the union and its rules, c. for reduction of hours,d.against reduction of wages. The first and second are by far the most frequent causes.Since the records have been kept the first has always been the most frequent cause ,but in recent years the second has grown rapidly in importance and has reached an average almost equal to that of the first.That many strikes have been called hastily, for insufficient reasons and with inadequate perparation on the part of the union is readily admitted.Some of these may be ascribed to injudicious leadership,some to over-confidence or over-zealousness on the part of the unions--especially those newly organized.The ideal of the unionist, however,is to be so well organized and to show so much value and sanity in the organization to the reasonable employer as to obviate the need

of the strike altogether.In our discussion of Collective Bargaining it was noted that through the means of competent representatives the union ideal is to seek no more than any craft can legitimately bear either in advance of wages or reduction of hours.Another element which both parties are now pressed to observe is the effect of strikes on the public welfare.Such statements as the following serve to show that it is in the mind of the union men;"Generally speaking, "Respect for the rights of the third party " as that phrase is used in connection with strikes ,implies disrespect for the rights of the other two parties".* "The "innocent third party" has its rights in the case of a strike,of course. But it has no right to compel the resumption of work bythe strikers in order simply that it may be spared inconveniences."** "If the public could be got to take action upon a mere statement of facts they would have less occasion to complain of the hardship inflicted by strikes upon "the innocent third party."*** As a matter of fact there are two very important considerations in regard to the third party.In the first place at the present time the organized workmen and work-women are

* Walter MacArthur,"Trade Union Epigrams" P.3.

** Ibid P.3.

*** Ibid P.3.

rather a small fraction of the population of our country and in any struggle with the vested interests the union heeds the support of popular opinion--that mighty power in democracies. ""Whether the immediate object be gained or not ,a justifiable strike always succeeds in proportion as it attracts public attention. In this view it sometimes happens that the very failure of the immediate object is an element of success, since thereby the evils complained of are the more clearly demonstrated."* The fact that the influence of public opinion is needed inclines labor leaders of the better type to be exceedingly careful to see that a strike is justifiable before it is called and when one is called todo all in their power to let the public know the exact conditions. In the second place the welfare of the general body of the people must be considered as of much concern.While on the one hand,it is an advantage to the strikers to have sufficient inconvenience to the third party so that a general outcry is raised in protest and thereby the possibility of municipal,state or national interference;on the other hand when the public is brought to the point of suffering or danger or both great harm may be done the union cause unless the leaders move cautiously and show a reasonable inclination toward conciliation.Recent talks with trade unionists lead us to conclude that the greater

* Walter MacArthur--"Trade Union Epigrams."P.3.

number of such unions as can be found in the American Federation of Labor are earnestly seeking by every possible means to have the people acquainted with their ideals and desires,believing that when the public see things as they are ,they will sympathize with organized labor.

Physical violence of any kind is not found in the catalogue of trade union policies. This does not mean that it is not sometimes used by union men and even at the instigation of their leaders.The advice of the leaders almost uniformly is,"no violence",and the attitude of by far the greater mass of the workmen is in accord with it.Such men as Samuel Gompers, John Mitchell,Geo.E.MacNeill,Frank Morrison and many others all down the line deprecate every act of violence and declare it to be useless,immoral and harmful to the cause of organized labor.Let us remember that the accounts of violence connected with strikes are frequently exaggerated and that the harm done cannot always be charged to the striking workmen. Indeed there is good grounds to believe that it is unpleasantly like the truth when the unionist declares that unscrupulous employers have hired men to do violence that it might be charged to the strikers.Add to this also the attitude of some masters who endeavor to frighten or starve the men into submission ,that they can black-list them and,in some cases, evict from their tenements (openly or by secret means)and it

is evident that the unionist also has a charge of violence to make.In a variety of underhanded ways the employer can use his power to weaken the employee,if he is so disposed. A large number of the acts of violence are directed toward the "scab"--a person who usually comes from a distance,who is of the workman's own class ,who is often a part of a company organized to go from place to place to break strikes, and whose business (as the unionist sees it)is to take bread out of the mouths of the strikers family.The feeling of hatred toward the "scab" is not unnatural.As one union sympathizer put it,"it is like dog eating dog--the most detestable animal is that which devours its own kind and as I see it that is what the scab does." No doubt this man meant that to him the scab is one who lives by defeating men of his own craft and class in society when they are fighting to attain a comfortable standard of living and by so doing is living at the expense of their struggle and at the same time making victory less likely.All of this does not palliate the crime of violence whether used by employer or employee--it simply shows why the heart of the workman is especially embittered toward the strike-breaker.However let us remember that though violence occurs and seems to be inevitable during strikes,it is not part or parcel of the policies of trade unions.

As it has been intimated in an earlier chapter one of

the things toward which the union looks is to be able to prevent strikes.The theory is that the stronger the union and the better perpared it is for a strike,the less likely a strike is to come."In order that trade unions may lay claim to fitness for carrying out their objects,they must show something more than that they are able to conduct a strike to a successful issue,to palliate the evils of an unsuccessful strike,and to succeed in occasionally forming a board of arbitration .They must show that in their very nature they have the desire and the power to prevent strikes.It is gratifying to be able to state that in this respect,also,the trade unions are eminently successful.Indeed,economy,if nothing else,would dictate such a policy,The executories of trade unions have been taught by experience that,even when an object is worth striving for,a strike is often the worst,and always the most expensive way of obtaining it.Strikes, as a rule are a denier resort, and are more frequently discountenanced by the general secretary than approved of by him.Indeed it is the boast of most trade unionssecretaries that they have prevented more strikes than they have originated.This is all the more creditable,because some branch or other is always urging a strike.---

"The power on the part of trade unions to prevent strikes increases with the strength of the unions .One of the most pleasing features in unionism is that the most powerful

associations show least inclination to strike. There the power to do evil is greatest ,the will to use that power is least. Strength has been accompanied by intelligence and discretion. The Glassmaker's Society* is composed of every man in the trade, and has, therefore,so to speak,an entire monopoly;and yet,strange and gratifying to relate,they seldom have any dispute. The masters frequently consult with the representatives of the union,and if the former wish to engage additional hands they communicate with the latter,and men are instantly found.It is to be hoped that the facts to which attention is here directed will be sufficient to remove the hatred to unionism of those who believe that trade unions are the cause of strikes. A union does,indeed,render a strike possible,but it cannot cause one.As has been aptly said,to maintain that the unions are the cause of strikes ,is the same as saying that gunpowder is the cause of war."**"No man can ever gain an understanding of the labor movement as long as he harbors the fallacy that the strike or boycott is a creation of the labor leader."*** The trade unionist ,then,wishes us to realize that the union is not the cause of strikes--indeed,strikes occurred before the union ,in a modern sense,existed,but that the union may

* Of the United Kingdom--Not in America.

** William Trant M.A. Trade Unions-P27-28.

*** Walter MacArthur "Trade Union Epigrams " P.3.

make the strike both possible and successful.Nevertheless it may and does avert more strikes than it permits and as it becomes stronger by so much it makes the resort to strikes less needed and lesslikely.

Perhaps the most difficult task of organized labor in connection with the strike is to find extenuating circumstances of sufficient force to defend successfully the sympathetic strike.This means a more or less general cessation of work by a union or several unions,who themselves have no grievance ,in order that they may help to make successful the strike of some other union or unions.It frequently means that unions,who have contracts with employers and no grievance ,go on strike.Of course the idea is to make the strike so wide spread and the conditions so disastrous that the employers will be forced to favorable agreements. The ethics of the thing is hard to explain.Few circumstances make the union employer more bitter than to have his men strike when they have been given no cause by him and in violence of their contracts.Some unions have taken the matter into their own hands and have refused to go out when a general strike was called.The Illinois Iron and Steel workers did so during the Steel Strike in 1901 and others have acted similarly.Many unionists who see the great power in a general cessation of work and yet feel the injustice done the favorable employer ,take the position that a sympathetic strike,

should be called only in cases of extreme necessity when the general welfare of an entire craft or a larger body of workers is at stake.

It is generally conceded now, that strikes are lawful if called to better the workman's condition, but not if called to injure the employer maliciously. This matter of malice is hard both to define and detect. By the way let it be said that very many of the common run of unionists do not understand the seriously complicated questions the law-courts have had to decide in the last half century during the rise of modern industrial combinations. Very generally we believe that the courts have dealt fairly as well as patiently with the varied problems many of which have been difficult to solve with equity. Then general advance in law has been in favor of the union and it has been fully as rapid as could reasonably be expected. It is rather a strange and seemingly biased decision that a joint action on the part of men to raise wages is no longer considered a conspiracy, but such an action to raise prices is so classed. The sympathetic strike is usually deemed unlawful. The fact that the strikers in one establishment may be helped to secure their demands by the withdrawal of the men from another can not be considered sufficient grounds for the latter to go out and thus injure so much the more the well-being of the community. Unionists themselves differ widely on this ruling. A man who

believes that masons, carpenters, and other building trades in a city or district may all join in a strike for the assistance of any one of the crafts, will readily agree that the Illinois steel workers mentioned above were perfectly right in refusing to join in a sympathetic strike in 1901. Some declare that no sympathetic strike should be entered upon when contracts are in operation unless the contracts recognize the possible cooperation with other crafts on unions in case a strike occurs. This is believed to be legal by its friends. Whether or not those in leadership in a widely affiliated organization would agree to this, we are not sure. The strong plea is to stand together--solidarity. No doubt this is the workingman's greatest asset--in union is strength. It is recognized, nevertheless, that violated contracts are extremely harmful to the union cause and most leaders are very careful to use every expedient to prevent such breaches of confidence. This we may confidently conclude-all thinking and loyal unionists are opposed to strikes and eagerly look forward to the time when they will be no longer needed even as a last resort. Meanwhile, especially among those leaders who have the laborer's welfare most at heart the tendency is to seek by every possible means to avert strikes.

(2). The Boycott is the refusal of the members of a union to buy goods of an unfair firm. It may include the endeavor to secure the refusal of others to buy and the publication of the

name of the firm on the list of those considered to be unfair to organized labor.The boycott may even reach to the merchants who continue to handle the product of the unfair firm i.e.the members of the union and their friends may refuse to patronize the former unless they refuse to carry the products of the latter.One unionists points out that this is no new method of coercion,for the concerted refusal of the American colonists to use tea and duty bearing articles in their struggle against the British Government was a boycott in every thing but name. Moreover it is pointed out that the British and American merchants suffered severely as well as the government against which it was directed.The boycott's success depends upon the concerted action of a large and wide spread constituency.Hence it is necessary to find means of scattering far and wide a knowledge of the grievanceand a request of refusal to buy.This has called into being the "unfair"or "we don't patronize "lists in the official journals of the trade unions.That this method has been very successful in compelling employers to grant union demands is certain.In some cases it has caused great losses to the unfair firm.Opinion about the right of the boycott is divided .Laborers almost universally agree in claiming it as their right to use the boycott as a lawful means of coercion.Its counterpart ,they point out ,is the employer's black-list.This is a list of employees who have gone out on

strike or been active in labor movements or have offended in some other way which employers associations circulate among their members. By this means the employer boycotts the employee's only saleable article-labor.It will be readily seen that this means of fighting the union can be much more secretly carried on and hence be much harder to bring into the open than the boycott.

The legal status of the boycott has not been settled. With the boycott as with the strike "malicious intent to injure" is unlawful.In some courts the boycott has been declared legal providing persuasion and not coercion is used to induce others to cease from patronizing the unfair firm or firms.In other cases the boycott has itself been looked upon as a means of coercion and therefore declared illegal..In the Buck Stove and Range Company case the decision was rendered that the "we don't patronize" column of the "American Federationist" is unlawful.The Supreme Court of California has, to all intent and purposes,declared that the unfair list is unlawful.Many of the court decisions hinge on the question whether or not what is lawful for the individual is also lawful for two or more individuals acting in conjunction.Legal authorities differ on the subject.The unionists insist that numbers do not effect the matter--what one person may do,many may

do in concerted action abd thereby legally justifies his weapon of the boycott.Labor leaders also assert that the rights of free speech and free press are interfered with when by the use of court injunctions the unfair list and other means of the boycott are enjoined .This idea has been scoffed at by many opponents of organized labor,but let us see what was stated in the injunction in the case of the Buck Stove and Range Company."The injunction prohibited the publication of the Company's name upon the "We Don't Patronize"list of the American Federation of Labor,directly or indirectly,and all* were forbidden to state,declare or say that there existed or had been any dispute or difference of any kind between the company, the American Federation of Labor or any of its affiliated organizations whatsoever"**.Now considering that there was a difference between the company and its employees regarding the continuance of the nine hour workday to the metal polishers and discrimination against and discharge of men because of membership in the union,and considering that the officers of the American Federation of Labor were brought into court for something which their Executive Council unanimously voted (i.e.placing the Buck

*All agents,friends,sympathizers,or counsel of the American Federation of Labor.

**Buck Stove &Range Co.Injunction Proceedings-Samuel Gompers P.4.

Stove and Range Company in the "We Don't Patronize"list) and that these officials were left no lawful way of communicating the condition of the case to their constituents,they might well claim illegal and unconstitutional action in being forbidden to state,declare or say that there had existed or had been any dispute or difference between the company,etc."Whether or not the labor leaders involved were right in refusing to obey the court is not our concern. It is easy to see how they reasoned to the conclusion that their constitutional rights to freedom of speech and press had been violated by such a sweeping injunction which not only prevented the printing the name of the firm in the unfair list,but even a discussion of the differences or a statement that they existed. Moreover it is stated by the labor men concerned that the justice later declined to either modify or explain the terms of the injunction.

The matter of the boycott is, then,undecided so far as its legal status is concerned.As the unionist views it its value and effectiveness as a means of coreoion are not uncertain,"The fight must continue to uphold the right to boycott not because the workers have any particular love for the boycott.Indeed they have no morelove for the boycott than for the strike.Both are extreme measures of defense forced upon the workers by unjust conditions.The workers fully realize that the boycott and the strike are means to

be used to maintain their rights and promote their welfare when seriously threatened by hostile, greedy, and unfair employers when no other remedy seems available. It is not the strike or the boycott itself which matters so much, as the recognition of the lawful right to employ either or both when necessary. With the boycott, cleared of wrongful charges and misapprehension and recognized as a lawful right, we will find its use diminishing. It will be a power held in reserve and used only when no other remedy is inadequate."*

(3). Legal Enactment. Very recently a wide-awake railway employee said to the writer, "Practically every safety device which we have on the railroads has come only by force of legislation; the companies would not put any of them on till they had to." This is a hard indictment, but a survey of the history of almost any kind of business in the United States shows that on the part of employers generally there has been a reckless disregard of the life and limb of employees and a disinclination to adopt safety devices. The method of legal enactment is one of the most powerful and facile weapons of the union. In the United States there is no regular labor party, but labor leaders have long been trying with varied success to handle the labor vote. The usual method of getting favorable legislation is by securing the workers' votes for men who promise to push labor acts

* Pres. Gompers-Report, Toronto Canada, 1909 P.17.

or the threat to with-hold the votes from those who refuse to do so. Things have so far progressed that in many communities the labor vote is earnestly sought for and the candidates' labor records are widely published whenever favorable.

The Constitution of the United Brotherhood of Carpenters and Joiners of America has under the heading "Our Principles" and the caption "Labor Legislation," "Resolved ,that it is of the greatest importance that members should vote intelligently; hence the members of this Brotherhood shall strive to secure legislation in favor of those who produce the wealthof the country,and all discussions and resolutions in that direction shall be in order at any regular meeting,but party politics must be excluded."On the last page of this constitution is published a "platform,"of municipal,state and national issues. Among these are numerated municipal ownership of street railways, gas and electric lighting plants,telephone etc;eight hour service for municipal laborers;direct legislation by initiative and referendum;sanitary inspection of mines,workshops and dwellings;abolition of prison contract labor;prohibition of child labor under sixteen years;liability of employers for injury;abolition of all indirect taxes;equal pay for equal services for men and women.The quotation which follows shows the common attitude of the labor leader in this matter."Let us restate that there can be no coercion of any man along party lines.Labor must learn to use parties to advance our

principles,and not elect political parties to legislate in for their own advancement.The distinction is easily understood and readily carried into effect.If each worker as an individual uses the ballot for the advancement of the principles for which labor stands and has declared there will be no question in the future as to the power of labor to achieve its just demands;political apathy, and partisan adherence will weaken;political activity and partisanship for labor's principles will bring strength and success.The activity,the loyalty of the workers in every part of the country is what we need in order that our political power may be used harmoniously with our economic efficiency. The time is now for emphatic declaration and positive,practical preparation for action."The legislature has not been the most serious bar to progressive labor enactments but the courts. Many favorable acts have been pronounced unconstitutional-- often on what seems to be flimsy pretexts and which plainly show why unionists become suspicious and distrustful of justices.

Some very good work has been done by legal enactment. A large variety of laws have been secured such as factory acts,regulation of hours of labor,regulation of payment of wages,on female and child labor,protective laws,compensation acts etc.More will follow.The full significance of this

*Pres.Gompers Report Toronto Canada 1909.

method is not lost on labor leaders and their efforts will be constantly toward a wider use of it.Unfortunately laws do not operate automatically--They have to be operated.For this reason those who are so disposed frequently bring good laws to naught. No doubt the duty of the business agent will more and more be to look out for the fullest enforcement of the laws passed in favor of the workman.This is now a part of their varied work--it will presently be given greater emphasis.

CHAPTER VII.

THE CLOSED SHOP.

One of the bitterest fights in all the modern industrial life is that over the closed shop. An open shop is one where union and non-union men may work together. A closed shop may be an anti-union shop--where union men are not allowed to work, in some cases employees are compelled to pledge themselves not to join a union; or a union shop where a non-union man is not allowed to work. In most union shops a non-union man is given a brief time to file an application for membership. For instance the Constitution of a Carpenter's union reads as follows-"No union carpenter shall work in a shop or job with a non-union carpenter more than one week, without obtaining his application with at least part of his initiation fee, or notifying his local union or business agent, under penalty of a fine of one(I)dollar." The common system of identification of union men is by the use of the union card. Business agents have the right to go into the shops from time to time for inspection and are under obligation to request the foreman to discharge or lay off any man who is not in good standing with his union. Under the "check-off system," much less widely used, the employer deducts union dues, fines and all union financial obligations of the workman from his pay and turns the money directly over to the treasurer of the organization. This method keeps the members

always in good standingduring their employment under the checking system,but it finds objections on the one hand that it gives the employer too much to do with union affairs,and on the other hand that many employers are not willing to assist the union in this manner.

Much unpleasant discussion has arisen over the closed shop.It has frequently been demounced as "un-American," "monopolistic," "invading the inalienable right of Americans to work when,where,and how they desire"etc.On the contrary the unionist regards the attitude of the open shop employers as hypocritical,for many of those who deny the right of the workman to demand the closed shop insist upon their right to refuse to hire union men--in reality having a closed shop against the union.The organized workmen insist that their labor is a comodity as much as any other saleable article and that they have a perfect right to dispose of it under certain contract conditions.

"The law of the land gives the employer the right to hire any labor he can get.---He has a right to bid,to make a contract.But the workman has the same rights.---Now,since every man has a right to sell his labor as he sees fit,he has a right not to sell it to the employer who wants an "open shop".--Every man has the right to say;"I will not work for you unless you make a contract with the union to

which I belong,and agree to employ none but members of that union."To say that he may not say this is equivalent to saying that he must sell his labor,not as he sees fit,but as the employer sees fit.---A manufacturer may buy all his raw material,all his machinery,from one company.No one is idiotic enough to tell him that he must patronize a dozen different companies. Why may he not buy all his labor from one union? He may close his shop to all manufacturers of raw material except one; he may not,if he be"American,"close his shop to all workmen but those who are members of a given union which offers to supply him with labor."*

"The union shop contract decision "says,"The union shop does not destroy the right of free contract ,but conserves it and is based upon it.It is an exercise of the right to work or not to work and of the right to determine where,when,and with whom one shall work."** The unionist does ~~not~~ believe that those who cry against the closed shop as an un-American institution are not sincere and a reply is made to the National Association of Clothiers which made such a statement by the following quotation from the Boston Transcript-:

"Some years ago when shops were" free and open",the employment of an American in the clothing shops was the exception. The garment maker took advantage of unrestricted immigration and filled the sweat shops with the cheap labor of distressed

* Editorial American Federationist June,I904.** Ibid.

European refugees,until the conditions became so appalling that society stepped in and laws were enacted to inprove the sanitary condition of the shops and limit the hours of labor of women and children.The manufacturer who had brutalized the clothing operatives by taking advantage of the supply of labor in the market,was compelled to halt by the exercise of a vigorous humane public sentiment,not by their own disposition.

"Now it is all very well to talk about the "old American System"and win a little applause for seeming patriotism,but it is not within reasonable comprehension that a returnto the primitive conditions of clothing manufacture in this country is possible.The swaat shop is distinctly un-American,and anything that tends to bring it back must be resisted by an enlightened public sentiment.Indeed,if we are to return to a distinctly American system we must go back of the sweat shop to the time when the wool was cut from the back of the sheep, carded,and spun and the clothing made at home."*

Having noted the above, the editorial added the following claim-"The unions,through the "closed" shop,abolished the sweat shop and secured for the garment workers the right of contract, an "American"right ,and decent conditions."**

The objection is also made that the liberty of the employers

* Editorial American Federationist June I904.

**American Federationist August I904.

is curtailed by the open shop.To this the unionist is prepared to reply,"The employer's right of contract is not abridged by the union shop,since it is offered to him as an economic advantage which he is free to accept or reject.Then he chooses to accept it he limits his freedom no more than in any case of a contract with a particular person or corporation for a particular purpose.The union shop is not contrary to public policy,because public policy demands above all things the preservation of the right of contract.It is true that the closed shop or union shop contract,like contracts for the supply of raw materials,machinery,etc,by particular persons,"tends to create limited partial monopolies," but the law never has and does not now penetrate against "limited,partial monopolies."*

This final statement leads us to the legal aspect of the union shop.There have been decisions declaring it illegal such as that of Judge Adams of the Appellate Court of Cook County Illinois 1904,but these are now generally rejected and at the time when they were given they were strongly opposed by many of the legal fraternity.

The unionist views the closed shop simply as a present means of advancement and one that eventually will be needed no longer.He constantly looks forward to the time when all hostility between the union and the employer shall have ceased.That will be when the great body of laborers are organized

* American Federationist August 1904.

into so powerful a union that they can guarantee to themselves fair treatment and that the employer will need organized workmen for the best interest of his business.Then the closed shop will be no longer necessary.Indeed it is now an adage with organized labor that wherever the union is sufficiently strong to get just treatment the closed shop question is never broached.The present need of the closed shop is to help to make the union strong enough so that the members can meet their employers on equal footing in making contracts.The bitterness toward the non-union worker and the scab is from the fact that they enjoy the various benifits ,which organized workmen have produced for all workers in a trade,and are not only unwilling to share the expense and suffering entailed,but in some instances are actual stumbling blocks in the way of advance.

CHAPTER VIII.

THE UNION LABEL.

The Union Label, an American invention, was first used by the organized cigars makers of San Francisco in 1874 as a protest and guarantee against Chinese made cigars. The hatters' label was adopted in 1885 and the garment workers' in 1886. Now a label is used by every branch of organized labor where it is practicable and is legally recognized in almost every state in the United States. It is frequently called the "hall-mark of organized labor" and "organized labor's most powerful weapon." Labor leaders recognize its great possibilites and in 1904 the American Federation of Labor offered cash prizes for the best essays on its history and use. It affords an easy method of marking goods produced under union agreements--minimum wage, reasonable hours, sanitary conditions; no child labor, no sweating system, no convict products; it promises skilled workmanship, no scamping, and "just as advertised articles"--"it is the insignia of industrial decency."

Some of the rules for the use of the Union Label are- "No shop or mill shall be entitled to the labels except such shop or mill has an eight hour workday and a minimum pay of thirty cents per hour to all bench and machine hands, and employs members of the United Brotherhood exclusively, except where dispensation has been granted by the General President

upon application from the District Council or Local Union.--Every shop,mill or factory shall have a Shop Steward,who shall be the authorized person to apply the label,stamp or die,provided the foregoing conditions are complied with as well as other trade rules of the district where located, The members employed in said shop,mill or factory shall hold meetings at least once a month.The Shop Steward shall be appointed at the regular monthly meeting for one month;the member working in said shop,mill or factory longest shall serve first,all others to serve in rotation."* It is ordered that the employers shall not be permitted to handle or have in charge the labels and that the labels are to be attached to goods so that they cannot be detached with out destroying the labels.

To the workman the union label has the advantage of being his most powerful coercive weapon at the least cost. It is not subject to injunctions as are the boycott and picketting.It costs less than the strike and helps to make strikes unecessary by giving employers of union labor an advantage in business--it makes the organization of workmen desirable to the employer because of the increasing demands for the products of organized labor.Its value to the employer is seen in its cheapness as an advertising medium

*Constitution,Brotherhood of Carpenters & Joiners of America. Sec,219,220.

its enlistment of good will and confidence on the part of the wage-earners and its guarantee makes goods sell easy. The advantage to the publicis that it gives assurance of sanitary conditions of production,fair treatment of workmen and goods"as represented." "We live in an age of doubt, uncertainity and inquiry,and while our great minds wrestle with the economic elephant,while this lack of harmony exists and we await the questionable outcome,is there any one practical means of mutual self-protection upon which the workers can unite ?This question is answered in the union label.---It can be adopted by all vocations,the skilled and unskilled alike.The printer can use it on his printing, the cigar maker can use it on his box,the hatter underneath his hat band,the tailor on his vest strap etc,--each can demand the union product of all. Demand it."*

"Labor organizations have not as yet effectively utilized their latent power in this connection.The members of labor organizations could do much toward preventing scamping and adulteration.The powerful unions in the building trades might do much toward preventing violations of the building laws in cities.The wage earners live in many buildings which are improperly constructed ;and often pay the penalty for faulty construction.The producer--the workman--by neglecting to oppose bad work injures his brother unionist who consumes

* Wiseacre Findings on Trade Unions .Pub.by A.F.of L. P.4.

the product.The consumer of almost any product is obliged to grope in the dark in regard to the quality of his purchases. His dependence upon the word of reputation of the maker or the seller is often complete.If the union label always stood for good workmanship, quality as represented,and obedience to legal requirements ,it would come to the consumer as a welcome ray of light through the darkness of uncertainty and mis represent ation.It would not be impossible to make the union label, "organized labor's most powerful weapon."Organized labor might furnish an effective check upon certain varieties of graft,as,for example,in connection with public and private buildings.Graft is primarily a disease of the commercial world, the world of buying and selling,as distinct from the world of production."*

Viewing what the union label should accomplish from the theoretical standpoit the outlook is very promising. Unfortunately it has not worked out so well in practice.The trouble lies not in the plan but in the operation of it.All union workmen will not demand articles stamped with the label.The leaders urge it. Some of them earnestly request that no local union be opened or closed without mention of the label and exhortation that the members ask for articles marked by it.Fairs have been held with the object of instructing the public in its value but to the present time no great numbers

* Carlton--History and Problems of Organized Labor-P.183.

have been won over to the use of it.In the constitution of the United Protherhood of Carpenters and Joiners of America this note appears under the caption "Our Principles," "Resolved,that members of this organization should make it a rule,when purchasing goods,to call for those which bear the trade mark of organized labor,and when individual,firm or corporation shall strike a blow at labor organization,they are earnestly requested to give that individual, firm or corporation their careful consideration.No good union man can kiss the rod that whips him." In the various trade journals we find articles urging the individuals to demand the label and complaining that employers who have none but union labor do not use the label.The very fact that the label has not been more generally demarded by the employers leads us to conclude that it is not consistently asked for by workingmen.A fair number of retailers in Massachusetts asked if they found any advantage in the union label,in most cases responded in the negative and in a few,said,"very little". Some even declare that they know union men who will take the unlabeled articles rather than the labeled,if the former are a few cents cheaper.This slight test only speaks for a small section and proves little--possibly at most it only indicates a lack of solidarity among workers and the need of more union and a deeper sense of responsibility in the rank and file of

organized labor.The fact that a manufacturer is permitted for a certain consideration to use the union label,should carry with it a feeling of obligation on the part of union men to give his products a preference and to endeavor to get others to do likewise.Unless this is done the power of the whole scheme is lost.No doubt the explanation of the matter lies partly in the fact,that as in other organizations ,"A great many men join the union and pay their dues— after they have done that they feel that they have performed all that is necessary,and in fact,have done their whole part ." No single union is great enough to carry out the union label plan to a successful issue.As the boycott depends upon a wide-spread refusal of patronage,the union label depends on a wide-spread patronage.If the workers of one trade continue to purchase goods of another trade made under unfair conditions,they directly reduce the consuming power of the union men of the latter trade and indirectly injure themselves by their shortsightedness.Over and above the loyalty of the union men,the union label needs the general support of the consumers.To get this;by persistent effort it must make itself such a guarantee for reliability as to create a steady,consistent and widespread demand.No doubt a most vigorous educational propaganda is needed in behalf of the label."Then its great powers are utilized even to a reasonable extent among working people,the long fight of organized labor will be well nigh won.

CHAPTER IX.

ARBITRATION AND CONCILIATION.

Arbitration is a method of obviating or terminating industrial warfare.A board of arbitration usuallyof three or more members is given authority to investigate and settle disputes.When the employer and employees agree to the appointment of such a board and agree to abide by its awards it is called voluntary arbitration.The unionist declares that this is the only real arbitration.When the government compels the disputants to submit the case and accept the findings of the board ,it is called compulsory arbitration.It is the duty of business agentsto settle all differences amicably if possible. Arbitration precedes a strike whenever the union is given an opportunity to speak and concludes a strike when the men agree to return to work.This form does not infallibly occur but it should do so according to the policies of trade unions.Organized labor believes in arbitration in that sense i.e.that the representatives of the disagreeing parties get together and adopt plans for their common good.It does not believe in compulsory arbitration--the submission of all differences between capital and labor to a supposedly impartial ,in some cases a non-partisan,committee whose decision is final.One objection is that many questions of vital importance to the workmen can only be thrashed out by those directly concerned.Trade Union Epigrams says-"The compulsory arbitrationist would cure the disease by killing the patient.The compulsory

arbitrationist should remember that the government ,like fire, is a good servant but a bad master.The idea that compulsory arbitration laws encourage the organization of the workers amounts in fact to the paradox of organizing the workers for the primary object of destroying the very power that makes organization itself worth while.Take from man the right to quit work at his own pleasure,and you take from him that attribute which, next to the right to light itself,marks the difference between the human and the lower animal.Almost anybody can see a difference between arbitration compelled by the employer and administered by the employer's court. Hohorable terms is the predicate of arbitration,consequently there can be no need of physical compulsion in the acceptance of that resort."Compulsory Arbitration" is compulsion, as opposed to arbitration.Conciliation and arbitration,are of course,well worth seeking.In the present imperfect state of industrial morals,however,it is apparent that the hope of attaining these ends lies chiefly in the power of either or both parties to fall back upon the sterner alternative."*

As one of these epigrams indicates the unionist objects to compulsory arbitration because the terms are contradictory. He claims that arbitration involves voluntary action of both parties in the submission of the questions involved to an arbitral committee.Compulsion by the government is repugnant

* Walter MacArthur-"Trade Union Epigrams".P.4.

to our democratic institutions.It really denies the right to strike -the right of the laborer to quit work ,and so takes out of his hand that means which has been most effective in accomplishing favorable results.Organized labor's experiences make it wary--it fears the effect of prejudice and "interests" and does not care to entrust its cause to "disinterested third parties" so long as it holds in its hands such good instruments for gaining its ends.It also charges that the phrase ,"there is nothing to arbitrate" has come into common use by the mouths of the employers and that right has been so generally on its side that it never fears to face"voluntary "arbitration."That the public suffers from strikes is admitted,but it cannot see how compulsory arbitration will help."I believe that the reason why many well-meaning,honest and conscientious men and women favor some form of compulsory arbitration arises from the fact that their attention has been called to the refusal to arbitrate on the part of some large corporations or other employers of labor.It is felt that the rest of the public are made innocent suffers and victims,and that there ought to be some way to give to the public the facts,in order that it might be known who is actually to blame."Whenever they are asked-"Do you want to send a man or woman to jail for quitting work ?"they immediately answer,"No,No." What they seem to desire is that these corporations or employers who refuse to arbitrate shall in some way be compelled to do so.

This is manifestly impossible.Laws that are "jug handled", even if possible of enactment and execution,invariably have the handle so placed that the large corporations and employers of labor keep hold of the handle.Commissions,with power to examine and report,would seem to be more in line with what is desired,but I would call attention to the fact that even these have in them a feature dangerous to liberty,because from them may come,and do sometimes come,reports which have a tendency to warp public opinion and prepare it for measures which, without such preparation,the public would unhesitatingly repudiate."* Union policies include arbitration,but the workmen demand the right to say when they shall submit to it.

Conciliation is a method of settling industrial disputes by means of a private or public board the purpose of which is to bring the interested parties together with a view to compromise.A Board of Conciliation may have authority to investigate and to compel the peesence of witnesses but its findings are not binding on the parites concerned.One of the most interesting experiments in conciliation is the application of the Canadian Industrial Disputes Investigation Act which was enacted in March 1907.The Act provides that in case of a dispute between employers and employees of any public utility (transportation,telegraph,telephone companies,longshoremen, miners, etc)it is illegal to resort to strike or lockout until the matters have been subjected to a Board of Con-

* Samuel Gompers Address before Arbitration Congress Chicago Ill.1900.

ciliation for investigation;the Board to be selected under the authority of the Minister of Labor,one member nominated by each interested party and a third,who serves as chairman,to be nominated by these two;if the two members fail to agree on a third,the Minister of Labor has power to appoint. The Board has power to summon witnesses and to compel the submission of pertinent material.The proceedings and final report of each Board is published throughout the country. After its work is complete on the single case the Board disbands.The idea is to secure whatever concessions possible from the contending parties until an agreement can be reached.The strength of the plan is in publicity.An offending firm or union may expect its attitude published all over the dominion and each dreads the rebuke of public opinion.Either side in a dispute may apply for a Board of Conciliation.This Act has ~~only~~ a limited application for it touches only on public utilities. So far it has worked well.In its first two years having fifty five applications for boards,ninety six per cent of strikes were either avoided or ended,and twelve of these were cases where from twelve hundred to seven thousand men were concerned.It should be noted in connection with this that after the report of the Board a lockout or strike may be declared.

The objection of the union is that this act interferes with the right of the workmen to strike whenever they desire.

After the month or six weeks consumed by the investigation of a board the favorable time for a strike may have passed. In other words organized labor cherishes the right to sell its labor when the market is in such a state as to secure them the best possible price.The objection is fair on the surface but will it stand ? Since the Act is passed and the union knows it,can it not serve its plans in such a way that this period of investigation will expire just when the marke t is right ? Not always perhaps but usually.The Act is primarily in the interest of the public,but it has many features that should commend it to masters and workmen. Its results are promising.

In the United States the Federal Government cannot act as can that of Canada except when interstate commerce suffers. With us the power of intervention lies with the State.In many states laws on arbitration or conciliation have been passed. In seventeen states special state commissions are authorized. Such commissions are appointed by the governor and in some states must be confirmed by the Senate.Three members usually constitute the commission,one from the employing and one from the laboring class and the third a disinterested person. Massachusetts is a pioneer in this movement .The Board may interfere without a request from either interested party for the purpose of conciliation and may make a public investigation. During the period from I886 to I904 the total number of

interventions were 943.Settlements 460.By Conciliation 229, by Arbitration 224,by public investigation 3,and by submission of one party 4.The Board took the initative in nearly one half of the cases.

A new departure in conciliation was the Anthracite Coal Strike Commission created by President Roosevelt in October I902. The strike was causing nation-wide suffering .Mining had been suspended for one hundred and sixty three days when the proposal was made to allow the differences to be submitted to a commission of five persons appointed by the President.To this the parties agreed and the miners resumed work during the hearing.The time consumed was aproximately five months. The award of the commission was accepted including the recommendation that a Board of Conciliation be instituted to which future disputes should be referred The awards were to be in force till April I,I906.Since then agreements have been made without serious disturbance.

The National Civic Federation is an association for the promotion of industrial peace.The purpose is to bring about a better understanding between employers and employees for it believes that much trouble arises because one party has never got the view point of the other.The hope is that the time will come when capital and labor will work together in harmony.The Federation recognizes the union and would treat with it in all disputes .It works for trade agreements and

conciliation-A full frank understanding of all sides by both parties and a spirit of reasonable compromise.Its plans are laudable and are commended by many prominent labor leaders.

All unionists do not approve of arbitration and conciliation.Among both employers and employees there are many who object to "outside interference",either by the government or by disinterested individuals .Extreme men in organized labor even object to making contracts with their employers on the ground that these cancel the right to strike at a favorable time.Happily this is not the attitude of the majority.Conciliation and voluntary arbitration are usually welcomed by the union,but every unionists wishes to reserve the right to have his say as to whether or not that such expedients are desirable at any given time."Without doubt the increased strength of organized labor will cause the public demand for some means of checking industrial warfare.The plan of conciliation in general form the type of the Canadian or Massachusetts laws will tend to give both capital and labor a fair opportunity to make the most of their product and at the same time protect the great multitude known as the "innocent third party".The present outlook is that the time is approaching when all industrial differences will be settled without recourse to strikes or lockouts,without creating enmity between the different classes of men and in a sane and equitable

manner. Past experiences in conciliation are so favorable as to augur well for the future.

Bibliography-

S.& B.Webb--Industrial Democracy. I897.

S.& B.Webb--The History of Trade Unionism. I894.

F.T.Carlton--History and Problems of Organized Labor.I908.

R.T.Ely--Labor Movement in America. I886.

John Mitchell--Organized Labor. I903.

J.H.Hollander & G.E.Barnett--Studies in American Trade Unionism.I906.

Chas. Stelzle--Letters from a Working Man. I908.

C.D.Wright---Industrial Evolution of the United States.I895.

T.S.Adams & H.L.Summer--Labor Problems. I905.

G.E.MacNeill--The Labor Movement. I887.

W.T.Thornton--Labor,its Wrongful Claims and Rightful Duties. I870,2 Ed.

Joseph Gostrict--Trades Unions and the Relations of Capital and Labor(Cobden Club Essays I872.)

J.R.Buchanan--Story of a Labor Agitator. I903.

J.T.Mill--Claims of Labor. I882.

C.B.Spahr-- America's Working People. I900.

Arthur Shadwell--Industrial Efficiency. I906.

A.Carnegie--Empire of Business. I902.

J.G.Brooks--Social Unrest. I903.

Walter Rauchenbusch--Christianity and the Social Crisis.I907.

Chas.W.Elliot--A Remedy for Industrial Warfare.

Bulletins of Bureau of Labor.

-Bibliography-

J.A. S.Ebb--Industrial Democracy. 1907.

S.J.T.Ebb--The History of Trade Unionism. 1894.

F.T.Carlton--History and Problems of Organized Labor.1909.

S.T.Fly--Labor Movement in America. 1886.

John Commons--Organized Labor. 1904.

L.L.Montague & G.E.Barnett--Studies in American Trade Unionism.1906.

Chas. Steiglo--Letters from a Working man. 1908.

C.D.Wright--Industrial Evolution of the United States.1895.

T.S.Adams & H.L.Sumner--Labor Problems. 1905.

C.E.MacNeill--The Labor Movement. 1887.

W.T.Thornton--Labor,its Wrongful Claims and Rightful Duties. 1870,p 34.

Joseph Cowtrin--Trades Unions and the Relations of Capital and Labor(Cobden Club Essays 1872.)

L.P.Brockman--Story of a Labor Agitator. 1903.

J.T.Mill--Claims of Labor. 1842.

C.E.Lyman-- America's Working People. 1900.

Arthur Shadwell--Industrial Efficiency. 1906.

A.Carnegie--Empire of Business. 1901.

T.G.Brown--Social Unrest. 1906.

Walter Sundenbaugh--Christianity and the Social Crisis.1907.

Chas.V.Pilot--A Remedy for Industrial Warfare.

Bulletins of Bureau of Labor.

Publications of the American Federation of Labor-

Samuel Gompers--Address before Arbitration Conference Chicago Ill,1900.

Open Shop Editorials.

An Open Letter to Ministers of the Gospel.

Report--Toronto,Canada .1909.

Organized Labor-Its Struggles,Its Enemies and Fool Friends.

Paper before the International Labor Congress Chicago.1893.

The Eight Hour Work Day.

Geo.E.MacNeill--Paper before the International Labor Congress, Chicago. 1893.

.. .. .. The Eight Hour Primer.

Frank K.Foster--Has the Non-Unionist a Right to Work How,When,and Where He Pleases ?.

Walter MacArthur--Trade Union Epigrams.

William Trant--Trade Unions--Their Origin and Objects, Influence and Efficacy.

The Union Label--its History and Aims--Prize Essays.

Buck's Stove and Range Company--Injunction Suit and Contempt Proceedings.

Dissenting Opinion of Mr.Chief Justice Shepard in the Contempt Case of Gompers,Mitchell and Morrison.

Wiseacre Findings--Canded Thoughts of Experienced Men on the Trade Union.

Publications of the American Federation of Labor-
Samuel Gompers--Address before Arbitration Conference Chicago
Ill,1900.
Open Shop Editorials.
An Open Letter to Ministers of the Gospel.
Report--Toronto,Canada .1909.
Organized Labor-Its Strength,Its Enemies
and Good Friends.
Paper before the International Labor Congress
Chicago.1893.
The Eight Hour Work Day.
Geo.P.MacNeill--Paper before the International Labor Congress,
Chicago. 1893.
.. .. .. The Eight Hour Primer.
Frank K.Foster--Has the Non-Unionist a Right to Work
Now,Then,and Where Is Slavery ?.
"Alter Ego"Arthur--Trade Union Epigrams.
William Trant--Trade Unions--Their Origin and Objects,
Influence and Efficacy.
The Union Label--Its History and Aims--Prize Essays.
Pooley Store and Range Company--Injunction Suit and Contempt
Proceedings.
Dissenting Opinion of Mr.Chief Justice Shepard in the Contempt
Case of Gompers,Mitchell and Morrison.
"Isaacs Pinkings--Candid Thoughts of Experienced Men on the
Trade Union.

Magazines--Such as:-

The American Federationist.

The Carpenter.

Survey.

The Square Deal.

McClures--1912--B.J.Hendricks--Insurance for Workingmen.

Magazines--such as:-

The American Federationist.

The Carpenter.

Survey.

The Square Deal.

McGiveys--1914--T.J.Handrickx--Insurance for Workingmen.